CIRCUIT COURT FOR FREDERICK COUNTY, MARYLAND
100 West Patrick Street
Frederick, Maryland 21701
Clerk of the Court: 301-600-1976 Assignment Office: 301-600-2015

Case Number:	**10-K-16-059271**
Tracking Number:	**161001845524**
Other Reference Number(s):	**2U00088412**

STATE OF MARYLAND VS ABE ARJUN MALLIK

CERTIFICATION OF TRUE COPY

I HEREBY CERTIFY that I am authorized to make this certification, and that the attached is a true copy of:
Case Summary
taken from the records of above court in the above entitled case.

IN TESTIMONY WHEREOF I hereto set my hand and affix the seal of the Circuit Court of Maryland for Frederick County on this 01/04/2018.

Sandra K. Dalton
Clerk of the Circuit Court

CIRCUIT COURT FOR FREDERICK COUNTY, MD

CASE SUMMARY

CASE NO. 10-K-16-059271

State of Maryland vs Abe Arjun Mallik

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Location: **Frederick Circuit Court**
Judicial Officer: **To Be Assigned, Judge**
Filed on: **12/12/2016**
Tracking Number: **16-1001-84552-4**

CASE INFORMATION

Offense	Statute	Deg	Date
Jurisdiction: **Frederick County**			
1. Possess Child Pornography TN: 161001845524	CR.11.208	M	03/03/2016
2. Possess Child Pornography TN: 161001845524	CR.11.208	M	03/03/2016
3. Possess Child Pornography TN: 161001845524	CR.11.208	M	03/03/2016
4. Possess Child Pornography TN: 161001845524	CR.11.208	M	03/03/2016
5. Possess Child Pornography TN: 161001845524	CR.11.208	M	03/03/2016
6. Possess Child Pornography TN: 161001845524	CR.11.208	M	03/03/2016
7. Possess Child Pornography TN: 161001845524	CR.11.208	M	03/03/2016
8. Possess Child Pornography TN: 161001845524	CR.11.208	M	03/03/2016
9. Possess Child Pornography TN: 161001845524	CR.11.208	M	03/03/2016
10. Possess Child Pornography TN: 161001845524	CR.11.208	M	03/03/2016
11. Possess Child Pornography TN: 161001845524	CR.11.208	M	03/03/2016

Case Type: **Criminal - Information**

Case Status: **10/13/2017 Appealed**

TRUE COPY TEST:

Sandra K. Dalton 1/4a
CLERK

Related Cases
2U00088412 (Related Case)

Statistical Closures
06/02/2017 Guilty

DATE — CASE ASSIGNMENT

Current Case Assignment

Case Number	10-K-16-059271
Court	Frederick Circuit Court
Date Assigned	12/20/2016
Judicial Officer	To Be Assigned, Judge

PARTY INFORMATION

		Attorneys
Plaintiff	**State of Maryland**	**ROLDAN, JOYCE MARAMOT** 301-600-2573(W)
Defendant	**Mallik, Abe Arjun** *1710 Canal Clipper Ct* *Point Of Rocks, MD 21777*	**CHOI, SUN E** *Retained* 301-668-7179(W) **SACCENTI, BRIAN MATTHEW** *Public Defender*

CASE SUMMARY

CASE NO. 10-K-16-059271

410-767-8556(W)
CHOI, SUN E
Retained
301-668-7179(W)
CHOI, SUN E
Retained
301-668-7179(W)

DATE	EVENTS & ORDERS OF THE COURT	INDEX
12/12/2016	Attorney Appearance Filed (Judicial Officer: To Be Assigned, Judge) *Motion: 1 Sequence: 0 Create Initials: JIG Create Date: 12/20/2016 KAAF - Attorney Appearance Filed Joyce R King Filed: 12/12/2016 Party: PLT PartyNum: 1 State Of Maryland*	
12/12/2016	Criminal Information (Judicial Officer: To Be Assigned, Judge) *Motion: 2 Sequence: 0 Create Initials: JIG Create Date: 12/20/2016 KRIF - Criminal Information Filed: 12/12/2016 Routing: 12/20/2016*	
12/13/2016	Receipt for Records *Original Papers District Court*	
12/20/2016	Service Issued *ServedDate: Jan 4 2017 12:00AM ServiceAgency: Frederick County Sheriff Party Name: Abe Arjun Mallik Hearing: Jan 27 2017 12:00AM*	
12/20/2016	**Subpoena Issued** Mallik, Abe Arjun Served: 01/04/2017 *FormName: CR-Summons (Sch.Even ServedDate: Jan 4 2017 12:00AM ServiceAgency: Frederick County Sheriff Hearing: Jan 27 2017 12:00AM*	
12/29/2016	Defense Attorney Appearance Filed (Judicial Officer: To Be Assigned, Judge) *Motion: 3 Sequence: 0 Create Initials: CCM Create Date: 12/29/2016 KAAP - Defense Attorney Appearance Filed Sun E Choi Filed: 12/29/2016 Party: DEF PartyNum: 1 PartyName: Abe Arjun Mallik* Counsel: Defendant Mallik, Abe Arjun	
12/29/2016	Motion / Request / Demand for Discovery (Judicial Officer: To Be Assigned, Judge) *Motion: 4 Sequence: 0 Create Initials: CCM Create Date: 12/29/2016 Update Initials: ASV Update Date: 10/07/2017 KKRD - Request for Discovery Filed: 12/29/2016 Party: DEF PartyNum: 1 PartyName: Abe Arjun Mallik* Filed by: Defendant Mallik, Abe Arjun	
12/29/2016	Result Reason: Hearing Terminated (Judicial Officer: To Be Assigned, Judge)	
01/10/2017	Notice of Expert Witness (Judicial Officer: To Be Assigned, Judge) *Motion: 5 Sequence: 0 Create Initials: MB Create Date: 01/17/2017 KNEW - Notice of Expert Witness Filed: 01/10/2017 Party: PLT PartyNum: 1 State Of Maryland*	
01/10/2017	Discovery Pursuant to Rule 4-263 (Judicial Officer: To Be Assigned, Judge) *Motion: 6 Sequence: 0 Create Initials: MB Create Date: 01/17/2017 KSTD - State's Discovery Pursuant to Rule 4-263 without Request Filed: 01/10/2017 Party: PLT PartyNum: 1 State Of Maryland*	
01/10/2017	Answer to Motion / Request for Discovery (Judicial Officer: To Be Assigned, Judge) *Motion: 7 Sequence: 0 Create Initials: MB Create Date: 01/17/2017 Update Initials: ASV Update Date: 10/07/2017 KARD - Answer to Request for Discovery Filed: 01/10/2017 Party: PLT PartyNum: 1 State Of Maryland*	

01/20/2017	Supplemental Discovery (Judicial Officer: To Be Assigned, Judge) *Motion: 8 Sequence: 0 Create Initials: SKA Create Date: 01/25/2017 Update Initials: ASV Update Date: 10/07/2017 KSUP - Supplemental Discovery Filed: 01/20/2017 Party: PLT PartyNum: 1 State Of Maryland*
01/27/2017	**Hearing - Initial Appearance** (9:00 AM) (Judicial Officer: To Be Assigned, Judge) Events: 12/29/2016 Result Reason: Hearing Terminated *Cancelled / Vacated*
02/13/2017	**Conference - Pre-Trial** (2:00 PM) (Judicial Officer: Rolle, Scott L.) *FreeText: Initial* Events: 02/13/2017 Result Reason: Joint Request *Postponed*
02/13/2017	Hearing Sheet / Open Court Proceedings (Judicial Officer: Rolle, Scott L.) *Motion: 9 Sequence: 0 Create Initials: SKA Create Date: 02/22/2017 KOCP - Open Court Proceedings Case called for PTC. Joint motion for postponement (State's attorney not available), Granted. (J. Rolle, CR 4). PTC set for 04/03/17 at 2 p.m. AO to set 2 day trial. Defense to advise AO if a motion to suppress will be needed. Filed: 02/13/2017*
02/13/2017	Result Reason: Joint Request (Judicial Officer: Rolle, Scott L.)
02/16/2017	Result Reason: Hearing Futile (Judicial Officer: Sandy, Richard)
03/16/2017	**Trial - Jury** (9:00 AM) (Judicial Officer: Sandy, Richard) Events: 02/16/2017 Result Reason: Hearing Futile *Cancelled / Vacated*
04/03/2017	**Conference - Pre-Trial** (2:00 PM) (Judicial Officer: Martz-Fisher, Julia A.) *FreeText: 2nd:set in court 2/13/17* Events: 04/03/2017 Result Reason: Trial/Hearing Concluded *Concluded / Held*
04/03/2017	Hearing Sheet / Open Court Proceedings (Judicial Officer: Martz-Fisher, Julia A.) *Motion: 11 Sequence: 0 Create Initials: PGS Create Date: 04/10/2017 KOCP - Open Court Proceedings Joint Motion to postpone the trial date (discovery issues), granted (J. Martz Fisher cr6). PTC set for 5/12/17 @ 2pm. Filed: 04/03/2017*
04/03/2017	Result Reason: Trial/Hearing Concluded (Judicial Officer: Martz-Fisher, Julia A.)
04/06/2017	Miscellaneous Document *Multiple Witness Subpoenas-Served*
04/06/2017	Supplemental Discovery (Judicial Officer: To Be Assigned, Judge) *Motion: 10 Sequence: 0 Create Initials: CCM Create Date: 04/10/2017 Update Initials: ASV Update Date: 10/07/2017 KSUP - Supplemental Disclosure Filed: 04/06/2017 Party: PLT PartyNum: 1 State Of Maryland*
05/02/2017	Motion / Request - To Continue / Postpone (Judicial Officer: Solt, Julie Stevenson) *Motion: 12 Sequence: 0 Create Initials: CCM Create Date: 05/03/2017 Update Initials: PGS Update Date: 05/09/2017 KFCO - State's Motion to Postpone Trial Date set for 5/30/17 (Defense Objects) Filed: 05/02/2017 Party: PLT PartyNum: 1 State Of Maryland Decision: Denied - 05/08/2017*
05/03/2017	Miscellaneous Document *Affidavit of Mailing*

05/05/2017	Docket Entry (Judicial Officer: To Be Assigned, Judge) *Motion: 13 Sequence: 0 Create Initials: LES Create Date: 05/09/2017 KDOC - Defendant's Notice of Service of Discovery Material Filed: 05/05/2017 Party: DEF PartyNum: 1 PartyName: Abe Arjun Mallik* Party: Defendant Mallik, Abe Arjun
05/08/2017	Supplemental Discovery (Judicial Officer: To Be Assigned, Judge) *Motion: 14 Sequence: 0 Create Initials: SKA Create Date: 05/10/2017 Update Initials: ASV Update Date: 10/07/2017 KSUP - Supplemental Disclosure Filed: 05/08/2017 Party: PLT PartyNum: 1 State Of Maryland*
05/10/2017	Miscellaneous Document *Witness Subpoena-Served*
05/12/2017	**Conference - Pre-Trial** (2:00 PM) (Judicial Officer: Solt, Julie Stevenson) *FreeText: 3rd:set in court 4/3/17* Events: 05/12/2017 Result Reason: Trial/Hearing Concluded *Concluded / Held*
05/12/2017	Docket Entry (Judicial Officer: To Be Assigned, Judge) *Motion: 15 Sequence: 0 Create Initials: ASV Create Date: 05/16/2017 KDOC - Deft's opposition to state's motion to continue Filed: 05/12/2017 Party: DEF PartyNum: 1 PartyName: Abe Arjun Mallik* Party: Defendant Mallik, Abe Arjun
05/12/2017	Hearing Sheet / Open Court Proceedings (Judicial Officer: Solt, Julie Stevenson) *Motion: 19 Sequence: 0 Create Initials: LES Create Date: 05/19/2017 KOCP - Open Court Proceedings Case called for PTC (J. Solt, CR5). Motions hearing set for 5/30/17 (AM) and Jurors to arrive at 1pm. Filed: 05/12/2017*
05/12/2017	Result Reason: Trial/Hearing Concluded (Judicial Officer: Solt, Julie Stevenson)
05/15/2017	Supplemental Discovery (Judicial Officer: To Be Assigned, Judge) *Motion: 16 Sequence: 0 Create Initials: MB Create Date: 05/18/2017 Update Initials: ASV Update Date: 10/07/2017 KSUP - State's Supplemental Disclosure Filed by Attorney: Joyce Roldan King Esq Filed: 05/15/2017*
05/16/2017	Notice (Judicial Officer: To Be Assigned, Judge) *Motion: 20 Sequence: 0 Create Initials: SKA Create Date: 05/23/2017 KNTC - Notice of Service of Discovery Material Filed: 05/16/2017 Party: DEF PartyNum: 1 PartyName: Abe Arjun Mallik* Party: Defendant Mallik, Abe Arjun
05/17/2017	Supplemental Discovery (Judicial Officer: To Be Assigned, Judge) *Motion: 17 Sequence: 0 Create Initials: CCM Create Date: 05/18/2017 Update Initials: ASV Update Date: 10/07/2017 KSUP - Supplemental Disclosure Filed: 05/17/2017 Party: PLT PartyNum: 1 State Of Maryland*
05/17/2017	Motion (Judicial Officer: To Be Assigned, Judge) *Motion: 18 Sequence: 0 Create Initials: CCM Create Date: 05/18/2017 Update Initials: ASV Update Date: 10/07/2017 KMOT - Motion to Amend the Criminal Information Filed: 05/17/2017 Party: PLT PartyNum: 1 State Of Maryland*
05/19/2017	Supplemental Discovery (Judicial Officer: To Be Assigned, Judge) *Motion: 21 Sequence: 0 Create Initials: CCM Create Date: 05/24/2017 Update Initials: ASV*

Update Date: 10/07/2017 KSUP - Supplemental Disclosure Filed: 05/19/2017 Party: PLT PartyNum: 1 State Of Maryland

05/22/2017 Supplemental Discovery (Judicial Officer: To Be Assigned, Judge)
Motion: 22 Sequence: 0 Create Initials: ZG Create Date: 05/26/2017 Update Initials: ASV Update Date: 10/07/2017 KSUP - Supplemental Discovery Filed: 05/22/2017 Party: PLT PartyNum: 1 State Of Maryland

05/24/2017 Motion - Limine (Judicial Officer: To Be Assigned, Judge)
Motion: 23 Sequence: 0 Create Initials: LES Create Date: 05/26/2017 Update Initials: ASV Update Date: 10/07/2017 KLIM - Motion in Limine Filed: 05/24/2017 Party: PLT PartyNum: 1 State Of Maryland

05/24/2017 Motion - Limine (Judicial Officer: To Be Assigned, Judge)
Motion: 24 Sequence: 0 Create Initials: LES Create Date: 05/26/2017 Update Initials: ASV Update Date: 10/07/2017 KLIM - State's Motion in Limine Filed: 05/24/2017 Party: PLT PartyNum: 1 State Of Maryland

05/24/2017 Supplemental Discovery (Judicial Officer: To Be Assigned, Judge)
Motion: 25 Sequence: 0 Create Initials: LES Create Date: 05/26/2017 Update Initials: ASV Update Date: 10/07/2017 KSUP - State's Supplemental Disclosure and Disclosure of Expert Witness Filed: 05/24/2017 Party: PLT PartyNum: 1 State Of Maryland

05/25/2017 Motion (Judicial Officer: To Be Assigned, Judge)
Motion: 26 Sequence: 0 Create Initials: CCM Create Date: 05/26/2017 Update Initials: ASV Update Date: 10/07/2017 KMOT - State's Motion to Excludw Defense Expert Testimony Based on Failure to the Criteria Set Forth in MD Rule 5-702 Filed: 05/25/2017 Party: PLT PartyNum: 1 State Of Maryland

05/30/2017 **Hearing - Motion to Suppress** (9:00 AM) (Judicial Officer: Galloway, Michael M.)
Day 1 of 2 ; FreeText: MTS in the morning;Jurors to arrive @1p.m.
Events: 05/30/2017 Result Reason: Trial/Hearing Concluded
Concluded / Held

05/30/2017 Stipulation

05/30/2017 Miscellaneous Document
Exhibit Sheet

05/30/2017 Voir Dire
Party: Attorney CHOI, SUN E

05/30/2017 Requested Voir Dire
Filed by: Plaintiff State of Maryland

05/30/2017 Answer to Motion
to Amend the Criminal Information
Filed by: Attorney CHOI, SUN E

05/30/2017 Motion - Limine
to Exclude Evidence
Filed by: Attorney CHOI, SUN E

05/30/2017 Answer to Motion
to Exclude Defense Expert Testimony

Filed by: Attorney CHOI, SUN E

05/30/2017 Answer to Motion
to State's Motion in Limine
Filed by: Attorney CHOI, SUN E

05/30/2017 Answer to Motion
to State's Motion for Limine
Filed by: Attorney CHOI, SUN E

05/30/2017 Supporting Documents
Filer: Attorney CHOI, SUN E

05/30/2017 Supporting Documents
Filer: Attorney CHOI, SUN E

05/30/2017 Hearing Sheet / Open Court Proceedings (Judicial Officer: Galloway, Michael M.)
Motion: 28 Sequence: 0 Create Initials: LES Create Date: 06/05/2017 KOCP - Open Court Proceedings, 4 Day Trial Trial 5/30/17 Day 1: Motions in Limine. State's motion to exclude Defendant Interview, MOOT. State's motion to exclude letters and emails, RESERVED. Defendant's motion to exclude documents & related testimony, RESERVED. Voir Dire held. Jury Empaneled and Sworn. Trial begins with State's case. 5/31/17 Day 2: Trial Continues with State's case. State rests. 6/1/17 Day 3: Trial Continued. Defense motion for JOA, DENIED (at bench). Defense case begins. Defendant advised of his right to testify. Defense Motion for Mistrial, DENIED. Defense rests. Jury Instructions given to Jury by Court. Deliberation begins. 6/2/17 Day 4: Deliberation continues. Two Jury notes received. Jury reaches verdict. Defendant Guilty as to Counts 1-11. Bond revoked pending sentencing. PSI with Psychosexual Eval ordered. Sentencing set for 8/3/17 at 9:00am. Judge grants State's request to seal images of children in exhibits. Filed: 05/30/2017

05/30/2017 Hearing Sheet / Open Court Proceedings (Judicial Officer: Galloway, Michael M.)
Motion: 34 Sequence: 0 Create Initials: ASV Create Date: 06/07/2017 KOCP - Open Court Proceedings Motion to Surpress- Day 1 State's motion to amend dates on Ct-9,10,11, granted. State's motion to exclude deft's expert witness, denied. State's motion in Limine to exclude deft's interview-denied. Reserve to exclude letters. Reserve on Deft's motion to exclude state's expert witness-denied. Deft's motion in Limine to exclude documents and related testimony-denied. (J. Galloway). Filed: 05/30/2017

05/30/2017 Result Reason: Stipulated/Dismissed (Judicial Officer: Galloway, Michael M.)

05/30/2017 Result Reason: Trial/Hearing Concluded (Judicial Officer: Galloway, Michael M.)

05/30/2017 **Plea** (Judicial Officer: Rolle, Scott L.)
Plea Verdict Date: Jun 2 2017 12:00AM MergedFlag: No
11. Possess Child Pornography
Not Guilty
TN: 161001845524 :

05/30/2017 **Plea** (Judicial Officer: Rolle, Scott L.)
Plea Verdict Date: Jun 2 2017 12:00AM MergedFlag: No
10. Possess Child Pornography
Not Guilty
TN: 161001845524 :

05/30/2017 **Plea** (Judicial Officer: Rolle, Scott L.)
Plea Verdict Date: Jun 2 2017 12:00AM MergedFlag: No
9. Possess Child Pornography

	Not Guilty TN: 161001845524 :
05/30/2017	**Plea** (Judicial Officer: Rolle, Scott L.) *Plea Verdict Date: Jun 2 2017 12:00AM MergedFlag: No* 8. Possess Child Pornography Not Guilty TN: 161001845524 :
05/30/2017	**Plea** (Judicial Officer: Rolle, Scott L.) *Plea Verdict Date: Jun 2 2017 12:00AM MergedFlag: No* 7. Possess Child Pornography Not Guilty TN: 161001845524 :
05/30/2017	**Plea** (Judicial Officer: Rolle, Scott L.) *Plea Verdict Date: Jun 2 2017 12:00AM MergedFlag: No* 6. Possess Child Pornography Not Guilty TN: 161001845524 :
05/30/2017	**Plea** (Judicial Officer: Rolle, Scott L.) *Plea Verdict Date: Jun 2 2017 12:00AM MergedFlag: No* 5. Possess Child Pornography Not Guilty TN: 161001845524 :
05/30/2017	**Plea** (Judicial Officer: Rolle, Scott L.) *Plea Verdict Date: Jun 2 2017 12:00AM MergedFlag: No* 4. Possess Child Pornography Not Guilty TN: 161001845524 :
05/30/2017	**Plea** (Judicial Officer: Rolle, Scott L.) *Plea Verdict Date: Jun 2 2017 12:00AM MergedFlag: No* 3. Possess Child Pornography Not Guilty TN: 161001845524 :
05/30/2017	**Plea** (Judicial Officer: Rolle, Scott L.) *Plea Verdict Date: Jun 2 2017 12:00AM MergedFlag: No* 2. Possess Child Pornography Not Guilty TN: 161001845524 :
05/30/2017	**Plea** (Judicial Officer: Rolle, Scott L.) *Plea Verdict Date: Jun 2 2017 12:00AM MergedFlag: No* 1. Possess Child Pornography Not Guilty TN: 161001845524 :
05/31/2017	**Hearing - Motion to Suppress** (9:00 AM) (Judicial Officer: Galloway, Michael M.)

	Day 2 of 2 ; Events: 05/30/2017 Result Reason: Stipulated/Dismissed *Cancelled / Vacated*
05/31/2017	Correspondence *Emails*
05/31/2017	Docket Entry (Judicial Officer: To Be Assigned, Judge) *Motion: 27 Sequence: 0 Create Initials: ASV Create Date: 06/02/2017 KDOC - Affidavit of mailing Filed: 05/31/2017 Party: DEF PartyNum: 1 PartyName: Abe Arjun Mallik* Party: Defendant Mallik, Abe Arjun
06/01/2017	**Trial - Jury** (9:00 AM) (Judicial Officer: Galloway, Michael M.) Events: 06/01/2017 Result Reason: Trial/Hearing Concluded *Concluded / Held*
06/01/2017	Result Reason: Trial/Hearing Concluded (Judicial Officer: Galloway, Michael M.)
06/02/2017	Verdict Sheet-Criminal
06/02/2017	Motion / Request - To Review / Alter Bond (Judicial Officer: To Be Assigned, Judge) *Motion: 29 Sequence: 0 Create Initials: LES Create Date: 06/05/2017 Update Initials: ASV Update Date: 10/07/2017 KRED - Motion for Bond Review Filed: 06/02/2017 Party: DEF PartyNum: 1 PartyName: Abe Arjun Mallik* Filed by: Defendant Mallik, Abe Arjun
06/02/2017	**Disposition** (Judicial Officer: Rolle, Scott L.) *DispStage: CT - AFTER TRIAL/HEARING VerdictDate: Jun 2 2017 12:00AM VerdictCode: G - Guilty (Adult) MergedFlag: No* 11. Possess Child Pornography Guilty TN: 161001845524 :
06/02/2017	**Disposition** (Judicial Officer: Rolle, Scott L.) *DispStage: CT - AFTER TRIAL/HEARING VerdictDate: Jun 2 2017 12:00AM VerdictCode: G - Guilty (Adult) MergedFlag: No* 10. Possess Child Pornography Guilty TN: 161001845524 :
06/02/2017	**Disposition** (Judicial Officer: Rolle, Scott L.) *DispStage: CT - AFTER TRIAL/HEARING VerdictDate: Jun 2 2017 12:00AM VerdictCode: G - Guilty (Adult) MergedFlag: No* 9. Possess Child Pornography Guilty TN: 161001845524 :
06/02/2017	**Disposition** (Judicial Officer: Rolle, Scott L.) *DispStage: CT - AFTER TRIAL/HEARING VerdictDate: Jun 2 2017 12:00AM VerdictCode: G - Guilty (Adult) MergedFlag: No* 8. Possess Child Pornography Guilty TN: 161001845524 :
06/02/2017	**Disposition** (Judicial Officer: Rolle, Scott L.) *DispStage: CT - AFTER TRIAL/HEARING VerdictDate: Jun 2 2017 12:00AM VerdictCode: G*

	- Guilty (Adult) MergedFlag: No 7. Possess Child Pornography Guilty TN: 161001845524 :
06/02/2017	**Disposition** (Judicial Officer: Rolle, Scott L.) *DispStage: CT - AFTER TRIAL/HEARING VerdictDate: Jun 2 2017 12:00AM VerdictCode: G - Guilty (Adult) MergedFlag: No* 6. Possess Child Pornography Guilty TN: 161001845524 :
06/02/2017	**Disposition** (Judicial Officer: Rolle, Scott L.) *DispStage: CT - AFTER TRIAL/HEARING VerdictDate: Jun 2 2017 12:00AM VerdictCode: G - Guilty (Adult) MergedFlag: No* 5. Possess Child Pornography Guilty TN: 161001845524 :
06/02/2017	**Disposition** (Judicial Officer: Rolle, Scott L.) *DispStage: CT - AFTER TRIAL/HEARING VerdictDate: Jun 2 2017 12:00AM VerdictCode: G - Guilty (Adult) MergedFlag: No* 4. Possess Child Pornography Guilty TN: 161001845524 :
06/02/2017	**Disposition** (Judicial Officer: Rolle, Scott L.) *DispStage: CT - AFTER TRIAL/HEARING VerdictDate: Jun 2 2017 12:00AM VerdictCode: G - Guilty (Adult) MergedFlag: No* 3. Possess Child Pornography Guilty TN: 161001845524 :
06/02/2017	**Disposition** (Judicial Officer: Rolle, Scott L.) *DispStage: CT - AFTER TRIAL/HEARING VerdictDate: Jun 2 2017 12:00AM VerdictCode: G - Guilty (Adult) MergedFlag: No* 2. Possess Child Pornography Guilty TN: 161001845524 :
06/02/2017	**Disposition** (Judicial Officer: Rolle, Scott L.) *DispStage: CT - AFTER TRIAL/HEARING VerdictDate: Jun 2 2017 12:00AM VerdictCode: G - Guilty (Adult) MergedFlag: No* 1. Possess Child Pornography Guilty TN: 161001845524 :
06/05/2017	Answer (Judicial Officer: To Be Assigned, Judge) *Motion: 29 Sequence: 1 Create Initials: LES Create Date: 06/05/2017 Update Initials: ASV Update Date: 10/07/2017 KANS - State's Answer to Request for Bond Review Filed: 06/05/2017 Party: PLT PartyNum: 1 State Of Maryland*
06/06/2017	Exhibits / Records Returned

06/06/2017	Miscellaneous Document *Witness Subpoena-Served*
06/06/2017	**Hearing - Bail/ Bond Review** (2:00 PM) (Judicial Officer: Sandy, Richard) *FreeText: :Motion for Bond Review* Events: 06/06/2017 Result Reason: Trial/Hearing Concluded *Concluded / Held*
06/06/2017	Miscellaneous Document *Fax Cover Pages*
06/06/2017	Hearing Notice (Judicial Officer: To Be Assigned, Judge) *Motion: 30 Sequence: 0 Create Initials: JQA Create Date: 06/06/2017 NHRG - Hearing Notice Event: SENT Block Date: 08/08/17 Facility: VDOC PARTIES : Mallik, Abe 1710 Canal Clipper Ct , Point Of Rocks, MD, 21777 Choi, Sun 7820 B Wormans Mill Rd. Suite 132, Frederick, MD, 21701 King, Joyce 100 W Patrick Street , Frederick, MD, 21701 Filed: 06/06/2017 Party: PLT PartyNum: 1 State Of Maryland Routing: 06/06/2017*
06/06/2017	Pre-Sentence Investigation Ordered (Judicial Officer: Rolle, Scott L.) *Motion: 31 Sequence: 0 Create Initials: PGS Create Date: 06/06/2017 KPSI - Pre Sentence Investigation Ordered Filed: 06/06/2017*
06/06/2017	Order (Judicial Officer: Rolle, Scott L.) *Motion: 32 Sequence: 0 Create Initials: PGS Create Date: 06/06/2017 KODD - Order (for Presentence Psychiatric Evaluation) copies sent to SAO, Defense atty, and faxed to Julie Smith, Psy.D and Helena Hager (DHMH). Filed: 06/06/2017*
06/06/2017	Hearing Sheet / Open Court Proceedings (Judicial Officer: To Be Assigned, Judge) *Motion: 33 Sequence: 0 Create Initials: LES Create Date: 06/06/2017 KOCP - Open Court Proceedings Bond Review Held (J. Sandy, CR2). Attorny Choi present for Defendant. Defendant released on $25,000 unsecured Personal Recognizance bond. Defendant is placed on Pre-Sentence Supervision through P&P, is to report as directed. Submit to any evaluation ordered. Defendant not to utilize Internet or Social Media whatsoever. No contact with any minors (other than his Daughter) under age of 16. Filed: 06/06/2017*
06/06/2017	Result Reason: Hearing Futile (Judicial Officer: To Be Assigned, Judge)
06/06/2017	Result Reason: Trial/Hearing Concluded (Judicial Officer: Sandy, Richard)
06/07/2017	Motion (Judicial Officer: Nicklas, William R., Jr.) *Motion: 35 Sequence: 0 Create Initials: CCM Create Date: 06/07/2017 Update Initials: LES Update Date: 06/12/2017 KMOT - Emergency Motion for Second Bond Review Set in for hearing (Judge Nicklas). Bond review set for 6/15/17 Filed: 06/07/2017 Party: PLT PartyNum: 1 State Of Maryland Decision: Ruled - 06/09/2017*
06/08/2017	Pre-Sentencing Supervision *Motion: 36 Sequence: 0 Create Initials: LES Create Date: 06/08/2017 Update Initials: ASV Update Date: 10/07/2017 KSSV - Order for Pre-Sentence Supervision Filed: 06/07/2017*
06/09/2017	Answer (Judicial Officer: To Be Assigned, Judge) *Motion: 35 Sequence: 1 Create Initials: LES Create Date: 06/12/2017 Update Initials: ASV Update Date: 10/07/2017 KANS - Response to Emergency Motion for Bond Review Filed: 06/09/2017 Party: DEF PartyNum: 1 PartyName: Abe Arjun Mallik* Filed by: Defendant Mallik, Abe Arjun
06/15/2017	**Hearing - Bail/ Bond Review** (1:30 PM) (Judicial Officer: Craven, Thomas L.) *FreeText: Emergency Motion for Second Bond Review (seq#35000)*

Events: 06/16/2017 Result Reason: Trial/Hearing Concluded
Concluded / Held

06/15/2017 Hearing Sheet / Open Court Proceedings (Judicial Officer: Craven, Thomas L.)
Motion: 37 Sequence: 0 Create Initials: ASV Create Date: 06/16/2017 Update Initials: ASV Update Date: 07/24/2017 KOCP - Open Court Proceedings Bond review held with (J. Craven crm #5). Attorney Choi present. Defendant is to remain on PR with all special conditions to stay in effect. State's motion to change motion denied. Filed: 06/15/2017

06/16/2017 Result Reason: Trial/Hearing Concluded (Judicial Officer: Craven, Thomas L.)

07/18/2017 Correspondence (Judicial Officer: To Be Assigned, Judge)
Motion: 38 Sequence: 0 Create Initials: CCM Create Date: 07/19/2017 KCOR - Correspondence from Office of Forensic Services dated 7/14/17 Filed: 07/18/2017

07/20/2017 Docket Entry (Judicial Officer: To Be Assigned, Judge)
Motion: 39 Sequence: 0 Create Initials: ASV Create Date: 07/24/2017 KDOC - Line that Defendant consents to a 30 day extension requested by Dr. Holt. Filed: 07/20/2017 Party: DEF PartyNum: 1 PartyName: Abe Arjun Mallik
Party: Defendant Mallik, Abe Arjun

07/25/2017 Motion / Request - To Continue / Postpone (Judicial Officer: Rolle, Scott L.)
Motion: 40 Sequence: 0 Create Initials: LES Create Date: 07/25/2017 Update Initials: BJC Update Date: 07/28/2017 KFCO - Joint Motion for Continuance ORDERED that the joint motion to continue shall be granted and it is further hereby, ordered that the sentencing set for 8/8/17 in the above captioned matter shall be continued. Filed: 07/25/2017 Party: DEF PartyNum: 1 PartyName: Abe Arjun Mallik Decision: Granted - 07/27/2017
Filed by: Defendant Mallik, Abe Arjun

07/26/2017 Result Reason: Hearing Futile (Judicial Officer: To Be Assigned, Judge)

08/03/2017 **Hearing - Sentencing** (9:00 AM) (Judicial Officer: To Be Assigned, Judge)
FreeText: :set in court 5/30/17
Events: 06/06/2017 Result Reason: Hearing Futile
Cancelled / Vacated

08/04/2017 Receipt of PSI
Motion: 41 Sequence: 0 Create Initials: LES Create Date: 08/07/2017 KPSR - Receipt for PSI Filed Filed: 08/04/2017

08/08/2017 **Hearing - Sentencing** (10:00 AM) (Judicial Officer: To Be Assigned, Judge)
FreeText: date changed from 8/3/17:Judge unavailable
Events: 07/26/2017 Result Reason: Hearing Futile
Cancelled / Vacated

09/22/2017 Psychological Evaluation Report Received

09/25/2017 Result Reason: Court - Administratively (Judicial Officer: To Be Assigned, Judge)

09/25/2017 Result Reason: Court - Administratively (Judicial Officer: To Be Assigned, Judge)

09/27/2017 **Hearing - Sentencing** (9:00 AM) (Judicial Officer: To Be Assigned, Judge)
FreeText: (reset from 8/8/17)
Events: 09/25/2017 Result Reason: Court - Administratively
Reset

10/02/2017 Docket Entry (Judicial Officer: To Be Assigned, Judge)

Motion: 42 Sequence: 0 Create Initials: CCM Create Date: 10/02/2017 KDOC - Sentencing Memorandum filed Filed: 10/02/2017 Party: DEF PartyNum: 1 PartyName: Abe Arjun Mallik
Party: Defendant Mallik, Abe Arjun

10/02/2017 **Sentence** (Judicial Officer: Rolle, Scott L.)
2. Possess Child Pornography
Converted Sentence
Confinement by Count
Local Confinement
Start: 10/07/2017
Facility: FREDERICK COUNTY ADULT DETENTION CENTER
Serve at Local Facility
Confinement by Count
Count: 2. POSSESS CHILD PORNOGRAPHY CR.11.208
Term: 5Y
Suspend Entire Sentence: 5Y
Total Term: 5Y
Total Suspended Term: 5Y
Converted Disposition:

Consecutive: Y
CSTotExt: Count #1
Converted Disposition:
JAIL
Years: 5
THE DEFENDANT IS ELIGIBLE FOR PAROLE.
SuspYears: 5
Payable To
Ordered Date: 10/10/2017
Collection Status: Parole & Probation

10/02/2017 **Sentence** (Judicial Officer: Rolle, Scott L.)
1. Possess Child Pornography
Converted Sentence
Confinement by Count
Local Confinement
Start: 10/07/2017
Facility: FREDERICK COUNTY ADULT DETENTION CENTER
Serve at Local Facility
Confinement by Count
Count: 1. POSSESS CHILD PORNOGRAPHY CR.11.208
Term: 5Y
Suspend All But: 5D
Total Term: 5Y
Total Suspended Term: 4Y, 11M, 25D
Total Time to Serve: 5D
Probation
Begin upon Release
Supervised, Term 5 Years, 0 Month, 0 Day, 0 Hour
Converted Disposition:
Converted Net Totals
Jail
Serve Days: 5

Probation
Years: 5
Converted Disposition:
JAIL
Years: 5
THE DEFENDANT IS ELIGIBLE FOR PAROLE.
SuspDays: 25
SuspMonths: 11
SuspYears: 4
UnSuspDays: 5
FreeText: time served
Condition - Adult:

1. Report/ Follow your Supervisor's lawful instructions, 10/02/2017, Active 10/02/2017
2. Totally abstain from alcohol and abusive use of any drug, 10/02/2017, Active 10/02/2017
3. Submit to alcohol/drug eval/test/educ and pay costs, 10/02/2017, Active 10/02/2017
4. Have no Contact With, No Contact with unsupervied minors and register as a Tier 1 Sex Offender. Obey all lawful recommendations of agent and not to possess any images of child porn. Complete Sex Offender Treatment., 10/02/2017, Active 10/02/2017
5. Submit to and pay for random urinalysis as directed by SA, 10/02/2017, Active 10/02/2017
6. Supervision Fee Waived, 10/02/2017, Active 10/02/2017

10/03/2017 **Hearing - Sentencing** (2:00 PM) (Judicial Officer: Galloway, Michael M.)
FreeText: (reset from 9/27/17)
Events: 10/07/2017 Result Reason: Trial/Hearing Concluded
Concluded / Held

10/03/2017 Hearing Sheet / Open Court Proceedings (Judicial Officer: Galloway, Michael M.)
Motion: 43 Sequence: 0 Create Initials: ASV Create Date: 10/07/2017 KOCP - Open Court Proceedings Defendant is sentenced on Count #1 Possess of Child Pornograpy to 5 years suspend all but 5 days (time served) and is placed on 5 years supervised probation. On Count #2 Possess of Child Pornography the sentence is 5 years all suspended and runs consecutive to Count #1. Counts 3-11 are entered as guilty with no sentence imposed. (J. Galloway). Filed: 10/02/2017

10/03/2017 Order for Probation
Motion: 44 Sequence: 0 Create Initials: ASV Create Date: 10/07/2017 KPRO - Order for Probation 5 years supervised probation. Filed: 10/02/2017

10/05/2017 **Hearing - Sentencing** (9:00 AM) (Judicial Officer: To Be Assigned, Judge)
FreeText: (reset from 9/27/17)
Events: 09/25/2017 Result Reason: Court - Administratively
Reset

10/06/2017 Copy of MD Sentencing Guidelines filed (Judicial Officer: Galloway, Michael M.)

10/07/2017 Result Reason: Trial/Hearing Concluded (Judicial Officer: Galloway, Michael M.)

10/10/2017 Bill of Costs
Amount: 145.00

10/13/2017 Notice of Appeal to COSA
Filed by: Attorney CHOI, SUN E

11/15/2017 Line
Entry Of Appearance

11/17/2017 Transcript and Record
Transcript Estimate Order Request Copy of Request provided to J. Dower -les

12/06/2017 Miscellaneous Document
STARS Payment

12/20/2017 Transcript
06/01/17

CASE SUMMARY

CASE NO. 10-K-16-059271

12/20/2017	Transcript *05/31/17*
12/20/2017	Transcript *05/30/17*
12/20/2017	Transcript *06/02/17*
12/20/2017	Transcript *10/03/17*
12/20/2017	Line *filing transcripts. Cost of transcripts - $3,472.50*
12/23/2017	Motion / Request for New Trial *Motion for New Trial*
12/23/2017	Supporting Exhibits *Exhibit A*
12/23/2017	Supporting Exhibits *Exhibit B*
12/23/2017	Supporting Exhibits *Exhibit C*
12/24/2017	Motion/Request/Petition for Modification of Sentence *Modification Of Sentence*
12/24/2017	Supporting Exhibits *Exhibit A*
12/24/2017	Supporting Exhibits *Exhibit B*
12/24/2017	Supporting Exhibits *Exhibit C*
01/04/2018	Miscellaneous Document *Clerk Affidavit*

TARGET DATE	TIME STANDARDS

Statutory Deadlines

DATE	FINANCIAL INFORMATION	
	Attorney CHOI, SUN E	
	Total Charges	121.00
	Total Payments and Credits	121.00
	Balance Due as of 01/04/2018	**0.00**

CASE SUMMARY

CASE NO. 10-K-16-059271

Defendant Mallik, Abe Arjun	
Total Charges	145.00
Total Payments and Credits	145.00
Balance Due as of 01/04/2018	**0.00**

IN THE CIRCUIT COURT FOR FREDERICK COUNTY, MARYLAND

STATE OF MARYLAND	:	NO. K16-5427 CRIMINAL
	:	IN THE CIRCUIT COURT FOR
V.	:	FREDERICK COUNTY, MARYLAND
	:	
	:	DISTRICT COURT NO: 2U00088412
ABE ARJUN MALLIK	:	TRACKING NO. 161001845524

****

CRIMINAL INFROMATION

COUNT 1 – POSSESSION OF PHOTOGRAPH OF CHILD UNDER 16 ENGAGED IN CERTAIN SEXUAL ACTS

Joyce R. King, Assistant State's Attorney for Frederick County, Maryland, upon her official oath, does inform the Court that Abe Arjun Mallik, on or about March 3, 2016, at 1710 Canal Clipper Court, Point of Rocks, MD 21777, did knowingly possess a photograph to wit: "index.39jpg.jpg" showing an adult male inserting his erect penis into the vagina of a nude prepubescent female child, depicting an individual under 16 years of age engaged in sexual conduct, contrary to the form of the Act of Assembly in such cases made and provided and against the peace, government and dignity of the State. (Criminal Law 11-208(a)) [*C.J.I.S. Code 1 1756*; This charge is a misdemeanor; Maximum penalty of imprisonment not exceeding 5 years and/or a fine not exceeding $2,500.]

COUNT 2 – POSSESSION OF PHOTOGRAPH OF CHILD UNDER 16 ENGAGED IN CERTAIN SEXUAL ACTS

FILED
2016 DEC 12 PM 2:36
SANDRA A. SKELTON
CLERK

And, Joyce R. King, Assistant State's Attorney for Frederick County, Maryland, upon her official oath, does inform the Court that Abe Arjun Mallik, on or about March 3, 2016, at 1710 Canal Clipper Court, Point of Rocks, MD 21777, did knowingly possess a photograph to wit:

"index6.png" an adult male inserting his erect penis into the vagina of a prepubescent female child, nude from the waist down, depicting an individual under 16 years of age engaged in sexual conduct, contrary to the form of the Act of Assembly in such cases made and provided and against the peace, government and dignity of the State. (Criminal Law 11-208(a)) [*C.J.I.S. Code 1 1756*; This charge is a misdemeanor; Maximum penalty of imprisonment not exceeding 5 years and/or a fine not exceeding $2,500.]

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COUNT 4 – POSSESSION OF PHOTOGRAPH OF CHILD UNDER 16 ENGAGED IN CERTAIN SEXUAL ACTS

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This charge is a misdemeanor; Maximum penalty of imprisonment not exceeding 5 years and/or a fine not exceeding $2,500.]

COUNT 5 – POSSESSION OF PHOTOGRAPH OF CHILD UNDER 16 ENGAGED IN CERTAIN SEXUAL ACTS

And, Joyce R. King, Assistant State's Attorney for Frederick County, Maryland, upon her official oath, does inform the Court that Abe Arjun Mallik, on or about March 3, 2016, at 1710 Canal Clipper Court, Point of Rocks, MD 21777, did knowingly possess a photograph to wit: "index5.jpg" showing an erect male penis and prepubescent female child, nude from the waist down, exposing her vagina, depicting an individual under 16 years of age engaged in sexual conduct, contrary to the form of the Act of Assembly in such cases made and provided and against the peace, government and dignity of the State. (Criminal Law 11-208(a)) [*C.J.I.S. Code 1 1756*; This charge is a misdemeanor; Maximum penalty of imprisonment not exceeding 5 years and/or a fine not exceeding $2,500.]

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COUNT 7 – POSSESSION OF PHOTOGRAPH OF CHILD UNDER 16 ENGAGED IN CERTAIN SEXUAL ACTS

And, Joyce R. King, Assistant State's Attorney for Frederick County, Maryland, upon her official oath, does inform the Court that Abe Arjun Mallik, on or about March 3, 2016, at 1710 Canal Clipper Court, Point of Rocks, MD 21777, did knowingly possess a photograph to wit: "index3.png" showing a nude prepubescent female child spreading her legs with a cat's face against the female's vagina, depicting an individual under 16 years of age engaged in sexual conduct, contrary to the form of the Act of Assembly in such cases made and provided and against the peace, government and dignity of the State. (Criminal Law 11-208(a)) [*C.J.I.S. Code 1 1756*; This charge is a misdemeanor; Maximum penalty of imprisonment not exceeding 5 years and/or a fine not exceeding $2,500.]

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And, Joyce R. King, Assistant State's Attorney for Frederick County, Maryland, upon her official oath, does inform the Court that Abe Arjun Mallik, on or about March 3, 2016, at 1710

Canal Clipper Court, Point of Rocks, MD 21777, did knowingly possess a photograph to wit: "index14.png" showing a prepubescent male child's penis in the mouth of an adult white female, depicting an individual under 16 years of age engaged in sexual conduct, contrary to the form of the Act of Assembly in such cases made and provided and against the peace, government and dignity of the State. (Criminal Law 11-208(a)) [*C.J.I.S. Code 1 1756*; This charge is a misdemeanor; Maximum penalty of imprisonment not exceeding 5 years and/or a fine not exceeding $2,500.]

COUNT 10 – POSSESSION OF PHOTOGRAPH OF CHILD UNDER 16 ENGAGED IN CERTAIN SEXUAL ACTS

And, Joyce R. King, Assistant State's Attorney for Frederick County, Maryland, upon her official oath, does inform the Court that Abe Arjun Mallik, on or about March 3, 2016, at 1710 Canal Clipper Court, Point of Rocks, MD 21777, did knowingly possess a photograph to wit: "index13.png" showing a male toddler standing between the legs of an adult and inserting his hands underneath her panties, depicting an individual under 16 years of age engaged in sexual conduct, contrary to the form of the Act of Assembly in such cases made and provided and against the peace, government and dignity of the State. (Criminal Law 11-208(a)) [*C.J.I.S. Code 1 1756*; This charge is a misdemeanor; Maximum penalty of imprisonment not exceeding 5 years and/or a fine not exceeding $2,500.]

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JOYCE R. KING
ASSISTANT STATE'S ATTORNEY FOR
FREDERICK COUNTY, MARYLAND

IN THE CIRCUIT COURT FOR FREDERICK COUNTY, MARYLAND

STATE OF MARYLAND	:	NO. K16-5427 CRIMINAL
	:	IN THE CIRCUIT COURT FOR
V.	:	FREDERICK COUNTY, MARYLAND
	:	
	:	DISTRICT COURT NO: 2U00088412
ABE ARJUN MALLIK	:	TRACKING NO. 161001845524

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2016 DEC 12 PM 2:38
SANDRA K. ...
CLERK

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misdemeanor; Maximum penalty of imprisonment not exceeding 5 years and/or a fine not exceeding $2,500.]

JOYCE R. KING
ASSISTANT STATE'S ATTORNEY FOR
FREDERICK COUNTY, MARYLAND

December 12, 2016

MEMORANDUM

TO: District Court Clerk/Criminals

FROM: Joyce R. King
Assistant State's Attorney

RE: Abe Arjum Mallik
District Court Criminal No. 2U8412
District Court Trial Date: December 14, 2016, 8:30 p.m. Ct. 1

A Criminal Information was filed on all counts in the above-referenced case on this date.

Kindly forward your file to Circuit Court for appropriate action.

TO THE PERSON CHARGED:

1. This paper charges you with committing a crime.

2. If you have been arrested, you have the right to have a judicial officer decide whether you should be released from jail until trial.

3. You have the right to have a lawyer.

4. A lawyer can be helpful to you by:
   A. explaining the charges in this paper;
   B. telling you the possible penalties;
   C. helping you a trial;
   D. helping you protect your constitutional rights, and,
   E. helping you to get a fair penalty if convicted.

5. Even if you plan to plead guilty, a lawyer can be helpful.

6. If you want a lawyer but do not have the money to hire, the Public Defender may provide a lawyer for you. The Court Clerk will tell you how to contact the Public Defender.

7. If you want lawyer but you cannot get one and the Public Defender will not provide one for you, contact the court clerk as soon as possible.

8. **DO NOT WAIT UNTIL THE DATE OF YOUR TRIAL TO GET A LAWYER.** If you do not have a lawyer before the trial date, you may have to go to trial without one.

MEMORANDUM

To: District Court Commissioner

From: Joyce R. King
Assistant State's Attorney

Date: December 12, 2016

Subject: **CRIMINAL SUMMONS**

Please issue a criminal summons for the below listed Defendant based on the attached Criminal Information:

Abe Arjun Mallik, Race: 3, Ht 6', Wt 185 lbs

LKA: 1710 Canal Clipper Court, Point of Rocks, MD 217777

D.O.B. 06/24/1961

Thank you for your cooperation in this matter.

STATE'S ATTORNEY
J. CHARLES SMITH III

DEPUTY STATE'S ATTORNEYS
NANCI O. HAMM
DAVID R. CALLAHAN

STATE'S ATTORNEY FOR FREDERICK COUNTY

County Courthouse
P.O. Box 210
Frederick, Maryland 21705-0210

www.statesattorney.us

CIRCUIT COURT DIVISION
301-600-1523
DISTRICT COURT DIVISION
301-600-2573
CHILD SUPPORT DIVISION
301-600-1538
JUVENILE DIVISION
301-600-2980

MEMORANDUM

TO: Assignment Clerk

FROM: Joyce R. King
Assistant State's Attorney

DATE: December 12, 2016

RE: State of Maryland v. Abe Arjun Mallik
Criminal No.
Track No.

Dear Clerk:

On today's date the State has filed a Criminal Information in the above-referenced matter. Please be advised of the following information, which may assist you in assigning a trial date for this case:

a) The State anticipates calling approximately 5 witnesses at the time of trial;
b) That State anticipates this case will take 1 day for this case to be tried;
c) The State would appreciate your checking with Joyce R. King before assigning a trial date;
d) 60 Jurors will be needed.

Thank you for your continued cooperation.

Sincerely,

JOYCE R. KING
ASSISTANT STATE'S ATTORNEY FOR
FREDERICK COUNTY, MARYLAND

STATE OF MARYLAND
VS.

IN THE CIRCUIT COURT
FOR FREDERICK COUNTY
CRIMINAL CASE NO. 10-K-16-059271

Name: **Abe Arjun Malik**

Arrest Tracking Number: 16-1001-84552-4
District Court Number: 2U00088412

Address 1710 Canal Clipper Ct Point Of Rocks, MD 21777

SUMMONS

You are hereby summoned to be and appear in person at the date, time and place specified. You do not have to appear if an attorney enters an appearance for you, in writing, at or before the time stated.

DATE	TIME	COURT LOCATION	EVENT DESCRIPTION
01/27/17	0900AM	100 West Patrick Street	Arraignment/Initial Appearance

If you cannot afford a lawyer and desire to be represented, you should apply to the Office Public Defender, on any weekday between - 8:30 A.M. and 4:30 P.M., at 100 West Patrick Street, Frederick, Maryland 21701- ; Telephone: (301)-694-1988, as soon as possible for a determination of your eligibility to have counsel provided by the Public Defender.

FAILURE TO APPEAR PERSONALLY OR HAVE AN ATTORNEY ENTER AND APPEARANCE, IN WRITING, ON OR BEFORE THE TIME SPECIFIED COULD RESULT IN YOUR BEING ARRESTED.

SERVICE

(_) BY CERTIFIED MAIL
Summons and copy of charging document mailed.

(x) BY SHERIFF
You are hereby commanded to summons the above named defendant and to serve upon the defendant a copy of the charging documents(s) and a copy of this summons.

By request of State's Attorney for Frederick County, Maryland.

Issued this 20th Day of December, 2016.

Sandra K. Dalton
Sandra K. Dalton, Clerk

COURT FOR FREDERICK COUNTY MD. THE CIR

Distribution
Court File
Defendant

SHERIFF'S RETURN (All copies must be completed)

	TIME	DATE	DEPUTY SHERIFF
SERVED			
NON EST (reason)			

( ) Copy of Summons served on defendant
( ) Copy of Charging Document(s) served

DISTRICT COURT OF MARYLAND FOR Frederick County
City/County

Located at 100 West Patrick St. Frederick, MD 21701 Case No. 2U00088412
Court Address

_____ vs. MALLIK, ABE ARJUN V
Plaintiff Defendant

TRANSMITTAL OF RECORD

TO: Clerk, ☒ Circuit ☐ District Court for Frederick County

TYPE OF CASE:
- ☐ Civil
- ☐ Domestic Violence
- ☒ Criminal
- ☐ Motor Vehicle/Natural Resources
- ☐ Circuit Court - Initial Appearance

LAST DISTRICT COURT ACTION:
- ☐ Appeal Filed - Date _____
- ☐ Jury Trial Demanded
- ☐ Preliminary Hearing Waived
- ☐ Held for Further Action
- ☐ Initial Appearance
- ☐ Bail Hearing
- ☐ Exparte Relief Granted (☐ See attached list of related cases)
- ☐ Indictment
- ☒ Forward to Circuit Court C.I Filed

STATUS:

Attorney: _____

Decided by: _____

Date of Judgment: _____

- ☐ Appeal Bond Posted
- ☐ Defendant Confined
- ☐ Defendant on Probation
- ☐ Deferred Payment
- ☐ Stay of Sentence Entered

Monies Forwarded:
- ☐ Advance Circuit Court Costs $_____
- ☐ Cash Bail $_____

Monies to be Forwarded:
- ☐ District Court Fines $_____
- ☐ District Court Costs $_____
- ☐ Criminal Injury Compensation Fund $_____

Amount Due:
- ☐ Deferred $_____
- ☐ Parole & Probation $_____
- ☐ Stayed $_____

BOND INFORMATION:

Amount: $_____

DISTRICT COURT PAPERS FORWARDED:

CIVIL
- ☐ Docket Entries
- ☐ Original Papers
- ☐ Exhibits
- ☐ Transcripts of Testimony
- ☐ Lien (Specify type): _____

CRIMINAL/MOTOR VEHICLE/NATURAL RESOURCES
- ☒ Pretrial/Trial/Felony/Violation of Probation Docket
- ☒ ~~Arrest Warrant~~/Criminal Summons
- ☒ Statement of Charges
- ☐ Charge Summary
- ☒ Application/Statement of Probable Cause
- ☐ Citations/Printouts
- ☐ Serious Traffic Docket
- ☐ Bench Warrant
- ☐ Initial Appearance
- ☐ Release ☐ on Personal Recognizance ☐ from Commitment
- ☐ Commitment Pending Hearing
- ☐ Bail Review Docket/Summary/Commitment
- ☐ Bail Bond $_____, $_____
- ☐ Power of Attorney/Affidavit
- ☐ Declaration of Trust
- ☐ Notice to Surety
- ☒ Notice of Advice of Right to Counsel
- ☒ "Important Notice" Public Defender
- ☐ Order for Probation/Supervision Docket
- ☐ Commitment Record
- ☐ Order for Fingerprinting
- ☐ Parole & Probation/Drinking Driver Monitor Program Report
- ☐ Circuit Court Summons
- ☐ Entry of Appearance
- ☐ Notice of Denial by Public Defender
- ☐ Request for Witness
- ☐ Notice of Appeal to waive court costs
- ☐ Order of Appeal
- ☐ Jury Trial Prayer
- ☐ Notice to State's Attorney
- ☒ Notice of Information Filed in circuit court
- ☒ Label Page
- ☐ Confidential Envelope
- ☐ Continuance Request
- ☐ Address Change
- ☒ Memorandum From SAO
- ☐ _____

FILED

I HEREBY CERTIFY that the attached are all the original papers filed in the above entitled case and a true copy of the docket entries.

12-13-16 2016 DEC 13 PM 4:38
Date

Clerk of the District Court

I HEREBY CERTIFY that I have received from the clerk of the above named District Court all original papers and monies noted in the above captioned case. ☒ Circuit Court Case/Lien Number: _____

CLERK JG
Date

Clerk of the Circuit Court

DCA 53 (Rev. 1/2010)

STATE'S ATTORNEY
J. CHARLES SMITH III

DEPUTY STATE'S ATTORNEYS
NANCI O. HAMM
DAVID R. CALLAHAN

STATE'S ATTORNEY FOR FREDERICK COUNTY

County Courthouse
P.O. Box 210
Frederick, Maryland 21705-0210

www.statesattorney.us

CIRCUIT COURT DIVISION
301-600-1523

DISTRICT COURT DIVISION
301-600-2573

CHILD SUPPORT DIVISION
301-600-1538

JUVENILE DIVISION
301-600-2980

MEMORANDUM

2016 DEC 13 AM 9:57
FREDERICK CO MD

TO: District Court Clerk/Criminals

FROM: Joyce R. King
Assistant State's Attorney

DATE: December 12, 2016

RE: Abe Arjum Mallik
District Court Criminal No. 2U8412
District Court Trial Date: December 14, 2016, 8:30 p.m. Ct. 1

A Criminal Information was filed on all counts in the above-referenced case on this date.

Kindly forward your file to Circuit Court for appropriate action.

DISTRICT COURT OF MARYLAND FOR Frederick County

MALLIK, ABE ARJUN V **Case No. 2U00088412**

1710 CANAL CLIPPER CT
POINT OF ROCKS, MD 21777-0000

CC#: SID:
LID: DL#: M-420-029-071-482 MD
Race: 3 Sex: M Ht: 6' " Wt: 185 Hair: Eyes:
DOB: 06/24/1961 Phone(H): 301-591-4130 Phone(W):
Arresting Officer: SNYDER

PRE-TRIAL DOCKET

DEFENSE ATTY:_____ STATE'S ATTY:_____

☐ DEFENDANT W/O COUNSEL ☐ INFORMED DEFENDANT OF RIGHT TO, AND IMPORTANCE OF, COUNSEL
☐ ADVISED DEFENDANT THAT MAKING NEXT APPEARANCE WITHOUT COUNSEL COULD BE A WAIVER
☐ MADE CERTAIN THE DEFENDANT RECEIVED A COPY OF THE CHARGING DOCUMENT
☐ ADVISED DEFENDANT OF NATURE OF CHARGES AND ALLOWABLE PENALTIES ☐ POSTPONED THE CASE

Judge: _____ Date: ___/___/_____

☐ DEFENDANT W/O COUNSEL ☐ NO MERITORIOUS REASON ☐ DETERMINED WAIVER ☐ DEF. EXPRESSLY WAIVED RIGHT
☐ CONDUCTED A WAIVER INQUIRY UPON THE DEF'S EXPRESSED DESIRE TO WAIVE COUNSEL. COMPLYING W/RULE 4-215
☐ DEFENDANT REPRESENTED BY ☐ PA ☐ PD ☐ SELF ☐ JURY TRIAL PRAYED ☐ JURY TRIAL WAIVED
☐ DEFENDANT FTA ☐ BENCH WARRANT ☐ BOND FORFT'D ☐ RECOG REVOK'D ☐ NEW BOND $_____
☐ ARREST WARRANT

Prince George's/Washington County Only:

☐ GPS TRACKING: ( ) $_____ FEE ASSESSED ( ) FEE WAIVED
☐ COMMISSIONER TO SET ☐ NO BOND ☐ RETURN THIS COUNTY ☐ WARRANT RECALLED_____

Judge: _____ Date: ___/___/_____

☐ DEFENDANT FTA ☐ BENCH WARRANT ☐ BOND FORFT'D ☐ RECOG REVOK'D ☐ NEW BOND $_____
☐ COMMISSIONER TO SET ☐ NO BOND ☐ RETURN THIS COUNTY ☐ WARRANT RECALLED_____

Judge: _____ Date: ___/___/_____

☐ POSTPONED CASE UPON ☐ DEF. REQ ☐ STATE REQ ☐ COURT INITIATIVE NEW DATE:_____

Judge: _____ Date: ___/___/_____

☐ POSTPONED CASE UPON ☐ DEF. REQ ☐ STATE REQ ☐ COURT INITIATIVE NEW DATE:_____

Judge: _____ Date: ___/___/_____

☐ POSTPONED CASE UPON ☐ DEF. REQ ☐ STATE REQ ☐ COURT INITIATIVE NEW DATE:_____

Judge: _____ Date: ___/___/_____

☐ POSTPONED CASE UPON ☐ DEF. REQ ☐ STATE REQ ☐ COURT INITIATIVE NEW DATE:_____

Judge: _____ Date: ___/___/_____

DEF. COMMITTED TO DHMH ☐ HG 8-506 ☐ HG 8-507 ☐ CP 3-105 ☐ CP 3-106b ☐ CP 3-111 ☐ CP 3-112
☐ FINDING INCOMP. CODE:_____

Judge: _____ Date: ___/___/_____

CHARGES AND DISPOSITION DOCKET

(SEE ATTACHED SHEETS)

BEFORE SENTENCING: ☐ EVALUATION ORDERED
☐ INVESTIGATION ORDERED: SUB CURIA UNTIL ___/___/_____
☐ UPON CONVICTION FINGERPRINTING BY_____, ORDERED

Judge: _____ Date: ___/___/_____

Tracking No: 161001845524

PRE-TRIAL DOCKET

DISTRICT COURT OF MARYLAND FOR Frederick County

Case No. 2U00088412

MALLIK, ABE ARJUN V
1710 CANAL CLIPPER CT
POINT OF ROCKS, MD 21777-0000

CC#: SID:
LID: DL#: M-420-029-071-482 MD
Race: 3 Sex: M Ht: 6' " Wt: 185 Hair: Eyes:
DOB: 06/24/1961 Phone(H): 301-591-4130 Phone(W):

Prosecutor: _____

Defense Attorney: _____

CHARGE: 001 1 OF 11 1 1756 CR11208 5 Y &/or $2,500.00 POSSESS CHILD PORNOGRAPHY

AMENDED: _____ ART. _____ SEC. _____ SUBSEC. _____ PAR _____ CJIS CODE: _____

PLEA

☐ G
☐ NG
☐ NC ☐ N.G.A.S.F.
☐ NCR
☐ OTHER PLEA
☐ INC. TO STAND TRIAL

VERDICT

☐ G
☐ NG
☐ NCR
☐ CP 3-112
☐ CP 3-106b
☐ PBJ
☐ DISMISSED
☐ ABD
☐ DISCHARGED
☐ RELEASED
☐ MERGED
☐ JA
☐ NC
☐ COMPROMISED
☐ CONSENT ORDER
☐ NP _____
☐ STET _____
☐ DOMESTICALLY RELATED CRIME
☐ MARITAL PRIVILEGE INVOKED AFTER SPOUSE SWORN
☐ JT PRAYED _____ (DATE)
☐ JT WAIVED
☐ TRANSFER TO CIRCUIT COURT FOR JURY TRIAL
☐ MENTALLY RETARDED
☐ CONDITIONAL RELEASE

SUB-CURIA UNTIL _____

☐ PERFORM _____ HOURS OF COMMUNITY SERVICE ON OR BEFORE _____ (MANDATORY FOR POACHING.)
DATE

INCARCERATION ---

☐ REPEAT OFFENDER ☐ IN DEFAULT OF FINE $ _____

INCARCERATION _____ SENTENCE SUSP. _____ STARTING _____ (DATE)
yrs/mos/days yrs/mos/days

CONSECUTIVE TO CHARGE # _____ CONCURRENT WITH CHARGE # _____ CREDIT TIME SERVED _____
yrs/mos/days

SENTENCE IS TO RUN (SELECT1):

☐ CONCURRENTLY WITH ANY OTHER OUTSTANDING SENTENCE.
☐ CONSECUTIVE TO THE LAST OF ANY OUTSTANDING AND UNSERVED MARYLAND SENTENCE.
☐ CONSECUTIVE TO THE FOLLOWING OUTSTANDING AND UNSERVED SENTENCE(S). _____.
☐ CONSECUTIVELY TO THE SENTENCE IMPOSED IN CASE NUMBER: _____.

☐ DOC ☐ JAIL ☐ WEEKEND INCARC. _____ (WKS) WORK RELEASE: ☐ RECOMMENDED ☐ ORDERED

☐ HOME DETENTION THROUGH: ☐ _____ ☐ _____
Local Correctional Agency Private Company Name

FINES ---

FINE $ _____ SUSP $ _____

DEFERRED UNTIL _____ THRU: ☐ COURT ☐ P&P ☐ DNR ☐ COMM IN DEFAULT

☐ ONE PAYMENT ☐ INSTALLMENTS OF $ _____ ☐ WEEK ☐ MONTH ☐ DUE TODAY $ _____

PAY PUBLIC DEFENDER $ _____ THRU: ☐ P&P ☐ PUBLIC DEFENDER BY: _____ (DATE)

RESTITUTION $ _____ (Minus paid damages of $ _____) TO _____ BY: _____ (DATE)

☐ ONE PAYMENT ☐ INSTALLMENTS OF $ _____ ☐ WEEKLY ☐ P&P

☐ EARNINGS WITHHOLDING ORDER TO ISSUE ☐ MONTHLY ☐ OTHER _____

PROBATION ---

☐ DEFENDANT IS PLACED ON SUPERVISED PROBATION FOR _____ EFFECTIVE _____ (DATE)
yrs/mos/days

☐ DEFENDANT IS PLACED ON SUPERVISED PROBATION FOR _____ UPON RELEASE
yrs/mos/days

☐ DEFENDANT IS PLACED ON UNSUPERVISED PROBATION FOR _____ EFFECTIVE _____ (DATE)
yrs/mos/days

☐ SEE PROBATION/SUPERVISION DOCKET

COUNSELING & TREATMENT ---

☐ PARTICIPATE AND PAY FOR PSYCHOLOGICAL COUNSELING

LIFETIME PROBATION ---

☐ LIFETIME SEXUAL OFFENDER SUPERVISION BY SEXUAL OFFENDER MANAGEMENT TEAM

COST $22.50 ☐ **COST SUSP DUE TO INDIGENCY** **CICF $35.00** ☐ **CICF SUSP DUE TO INDIGENCY**

Judge: _____ Date: _____

☐ FINGERPRINTING ORDERED WITHIN 3 DAYS. Defendant found guilty, pled guilty (PBJ), or nolo contendere to a reportable crime, (See CP-10-216)
☐ EVALUATION ORDERED ☐ LICENSING AUTHORITY TO BE NOTIFIED
☐ PRE-SENTENCE INVESTIGATION UNTIL _____ (DATE)

APPEAL--- ☐ ADVISED OF RIGHT ☐ BOND PENDING SENTENCE IS $ _____

JAIL SENTENCE: ☐ TO BE STAYED ☐ PRE-TRIAL RELEASE CONDITIONS TO CONTINUE
☐ APPEAL BOND REQUIRED IN AMOUNT $ _____

CONDITIONS OF PROBATION: ☐ TO BE STAYED ☐ NOT TO BE STAYED

Judge: _____ Date: _____

Tracking No. 161001845524
06/2016

CRIMINAL TRIAL DOCKET

DISTRICT COURT OF MARYLAND FOR Frederick County

Case No. 2U00088412

MALLIK, ABE ARJUN V
1710 CANAL CLIPPER CT
POINT OF ROCKS, MD 21777-0000

CC#: SID:
LID: DL#: M-420-029-071-482 MD
Race: 3 Sex: M Ht: 6' " Wt: 185 Hair: Eyes:
DOB: 06/24/1961 Phone(H): 301-591-4130 Phone(W):

Prosecutor:_____

Defense Attorney:_____

CHARGE: 002 2 OF 11 1 1756 CR11208 5 Y &/or $2,500.00 POSSESS CHILD PORNOGRAPHY

AMENDED:_____ ART. _____ SEC. _____ SUBSEC. _____ PAR_____ CJIS CODE:_____

PLEA

☐ G
☐ NG
☐ NC ☐ N.G.A.S.F.
☐ NCR
☐ OTHER PLEA
☐ INC. TO STAND TRIAL

VERDICT

☐ G
☐ NG
☐ NCR
☐ CP 3-112
☐ CP 3-106b
☐ PBJ
☐ DISMISSED
☐ ABD
☐ DOMESTICALLY RELATED CRIME
☐ MARITAL PRIVILEGE INVOKED AFTER SPOUSE SWORN
☐ DISCHARGED
☐ RELEASED
☐ MERGED
☐ JA
☐ NC
☐ JT PRAYED_____ (DATE)
☐ JT WAIVED
☐ TRANSFER TO CIRCUIT COURT FOR JURY TRIAL
☐ COMPROMISED
☐ CONSENT ORDER
☐ NP_____
☐ STET_____
☐ MENTALLY RETARDED
☐ CONDITIONAL RELEASE

SUB-CURIA UNTIL_____

☐ PERFORM _____ HOURS OF COMMUNITY SERVICE ON OR BEFORE _____ (MANDATORY FOR POACHING.)
DATE

INCARCERATION ---

☐ REPEAT OFFENDER ☐ IN DEFAULT OF FINE $ _____

INCARCERATION_____ SENTENCE SUSP._____ STARTING_____(DATE)
yrs/mos/days yrs/mos/days

CONSECUTIVE TO CHARGE #_____ CONCURRENT WITH CHARGE #_____ CREDIT TIME SERVED_____
yrs/mos/days

SENTENCE IS TO RUN (SELECT1):

☐ CONCURRENTLY WITH ANY OTHER OUTSTANDING SENTENCE.
☐ CONSECUTIVE TO THE LAST OF ANY OUTSTANDING AND UNSERVED MARYLAND SENTENCE.
☐ CONSECUTIVE TO THE FOLLOWING OUTSTANDING AND UNSERVED SENTENCE(S).
☐ CONSECUTIVELY TO THE SENTENCE IMPOSED IN CASE NUMBER:

☐ DOC ☐ JAIL ☐ WEEKEND INCARC._____(WKS) WORK RELEASE: ☐ RECOMMENDED ☐ ORDERED

☐ HOME DETENTION THROUGH: ☐ _____ ☐ _____
Local Correctional Agency Private Company Name

FINES ---

FINE $_____ SUSP $_____

DEFERRED UNTIL_____ THRU: ☐ COURT ☐ P&P ☐ DNR ☐ COMM IN DEFAULT

☐ ONE PAYMENT ☐ INSTALLMENTS OF $_____ ☐ WEEK ☐ MONTH ☐ DUE TODAY $_____

PAY PUBLIC DEFENDER $_____ THRU: ☐ P&P ☐ PUBLIC DEFENDER BY:_____(DATE)

RESTITUTION $_____ (Minus paid damages of $_____) TO_____ BY:_____(DATE)

☐ ONE PAYMENT ☐ INSTALLMENTS OF $_____ ☐ WEEKLY ☐ P&P

☐ EARNINGS WITHHOLDING ORDER TO ISSUE ☐ MONTHLY ☐ OTHER_____

PROBATION ---

☐ DEFENDANT IS PLACED ON SUPERVISED PROBATION FOR _____ EFFECTIVE_____(DATE)
yrs/mos/days

☐ DEFENDANT IS PLACED ON SUPERVISED PROBATION FOR _____ UPON RELEASE
yrs/mos/days

☐ DEFENDANT IS PLACED ON UNSUPERVISED PROBATION FOR_____ EFFECTIVE_____(DATE)
yrs/mos/days

☐ SEE PROBATION/SUPERVISION DOCKET

COUNSELING & TREATMENT ---

☐ PARTICIPATE AND PAY FOR PSYCHOLOGICAL COUNSELING

LIFETIME PROBATION ---

☐ LIFETIME SEXUAL OFFENDER SUPERVISION BY SEXUAL OFFENDER MANAGEMENT TEAM

Judge: _____ Date: _____

Tracking No. 161001845524
06/2016

CRIMINAL TRIAL DOCKET

DISTRICT COURT OF MARYLAND FOR Frederick County

Case No. 2U00088412

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DOB: 06/24/1961 Phone(H): 301-591-4130 Phone(W):

Prosecutor:_____

Defense Attorney:_____

CHARGE: 003 3 OF 11 1 1756 CR11208 5 Y &/or $2,500.00 POSSESS CHILD PORNOGRAPHY

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☐ OTHER PLEA
☐ INC. TO STAND TRIAL

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☐ MENTALLY RETARDED
☐ CONDITIONAL RELEASE

SUB-CURIA UNTIL_____

☐ PERFORM _____ HOURS OF COMMUNITY SERVICE ON OR BEFORE _____ (MANDATORY FOR POACHING.)
DATE

INCARCERATION ---

☐ REPEAT OFFENDER ☐ IN DEFAULT OF FINE $_____

INCARCERATION_____ SENTENCE SUSP._____ STARTING_____(DATE)
yrs/mos/days yrs/mos/days

CONSECUTIVE TO CHARGE #_____ CONCURRENT WITH CHARGE #_____ CREDIT TIME SERVED_____
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Local Correctional Agency Private Company Name

FINES ---

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LIFETIME PROBATION ---

☐ LIFETIME SEXUAL OFFENDER SUPERVISION BY SEXUAL OFFENDER MANAGEMENT TEAM

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CHARGE: 004 4 OF 11 1 1756 CR11208 5 Y &/or $2,500.00 POSSESS CHILD PORNOGRAPHY

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☐ INC. TO STAND TRIAL

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☐ TRANSFER TO CIRCUIT COURT FOR JURY TRIAL
☐ COMPROMISED
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☐ CONDITIONAL RELEASE

SUB-CURIA UNTIL_____

☐ PERFORM _____ HOURS OF COMMUNITY SERVICE ON OR BEFORE _____ (MANDATORY FOR POACHING.)
DATE

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☐ REPEAT OFFENDER ☐ IN DEFAULT OF FINE $ _____

INCARCERATION_____ SENTENCE SUSP._____ STARTING_____(DATE)
yrs/mos/days yrs/mos/days

CONSECUTIVE TO CHARGE #_____ CONCURRENT WITH CHARGE #_____ CREDIT TIME SERVED_____
yrs/mos/days

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☐ HOME DETENTION THROUGH: ☐ _____ ☐ _____
Local Correctional Agency Private Company Name

FINES ---

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PAY PUBLIC DEFENDER $_____ THRU: ☐ P&P ☐ PUBLIC DEFENDER BY:_____(DATE)

RESTITUTION $_____ (Minus paid damages of $_____) TO_____ BY:_____(DATE)

☐ ONE PAYMENT ☐ INSTALLMENTS OF $_____ ☐ WEEKLY ☐ P&P
☐ EARNINGS WITHHOLDING ORDER TO ISSUE ☐ MONTHLY ☐ OTHER_____

PROBATION ---

☐ DEFENDANT IS PLACED ON SUPERVISED PROBATION FOR _____ EFFECTIVE_____(DATE)
yrs/mos/days

☐ DEFENDANT IS PLACED ON SUPERVISED PROBATION FOR _____ UPON RELEASE
yrs/mos/days

☐ DEFENDANT IS PLACED ON UNSUPERVISED PROBATION FOR_____ EFFECTIVE_____(DATE)
yrs/mos/days
☐ SEE PROBATION/SUPERVISION DOCKET

COUNSELING & TREATMENT ---

☐ PARTICIPATE AND PAY FOR PSYCHOLOGICAL COUNSELING

LIFETIME PROBATION ---

☐ LIFETIME SEXUAL OFFENDER SUPERVISION BY SEXUAL OFFENDER MANAGEMENT TEAM

Judge: _____ Date: _____

Tracking No. 161001845524
06/2016

CRIMINAL TRIAL DOCKET

DISTRICT COURT OF MARYLAND FOR Frederick County

Case No. 2U00088412

MALLIK, ABE ARJUN V
1710 CANAL CLIPPER CT
POINT OF ROCKS, MD 21777-0000

CC#: SID:
LID: DL#: M-420-029-071-482 MD
Race: 3 Sex: M Ht: 6' " Wt: 185 Hair: Eyes:
DOB: 06/24/1961 Phone(H): 301-591-4130 Phone(W):

Prosecutor:_____

Defense Attorney:_____

CHARGE: 005 5 OF 11 1 1756 CR11208 5 Y &/or $2,500.00 POSSESS CHILD PORNOGRAPHY

AMENDED:_____ ART._____ SEC._____ SUBSEC._____ PAR_____ CJIS CODE:_____

PLEA

☐ G
☐ NG
☐ NC ☐ N.G.A.S.F.
☐ NCR
☐ OTHER PLEA
☐ INC. TO STAND TRIAL

VERDICT

☐ G
☐ NG
☐ NCR
☐ CP 3-112
☐ CP 3-106b

☐ PBJ
☐ DISMISSED
☐ ABD
☐ DOMESTICALLY RELATED CRIME
☐ MARITAL PRIVILEGE INVOKED AFTER SPOUSE SWORN
☐ DISCHARGED
☐ RELEASED

☐ MERGED
☐ JA
☐ NC
☐ JT PRAYED_____ (DATE)
☐ JT WAIVED
☐ TRANSFER TO CIRCUIT COURT FOR JURY TRIAL

☐ COMPROMISED
☐ CONSENT ORDER

☐ NP_____
☐ STET_____
☐ MENTALLY RETARDED
☐ CONDITIONAL RELEASE

SUB-CURIA UNTIL_____

☐ PERFORM _____ HOURS OF COMMUNITY SERVICE ON OR BEFORE _____ (MANDATORY FOR POACHING.)
DATE

INCARCERATION ---

☐ REPEAT OFFENDER ☐ IN DEFAULT OF FINE $._____

INCARCERATION_____ SENTENCE SUSP._____ STARTING_____(DATE)
yrs/mos/days yrs/mos/days

CONSECUTIVE TO CHARGE #_____ CONCURRENT WITH CHARGE #_____ CREDIT TIME SERVED_____
yrs/mos/days

SENTENCE IS TO RUN (SELECT1):

☐ CONCURRENTLY WITH ANY OTHER OUTSTANDING SENTENCE.
☐ CONSECUTIVE TO THE LAST OF ANY OUTSTANDING AND UNSERVED MARYLAND SENTENCE.
☐ CONSECUTIVE TO THE FOLLOWING OUTSTANDING AND UNSERVED SENTENCE(S).
☐ CONSECUTIVELY TO THE SENTENCE IMPOSED IN CASE NUMBER:

☐ DOC ☐ JAIL ☐ WEEKEND INCARC._____(WKS) WORK RELEASE: ☐ RECOMMENDED ☐ ORDERED

☐ HOME DETENTION THROUGH: ☐ _____ ☐ _____
Local Correctional Agency Private Company Name

FINES ---

FINE $_____ SUSP $_____

DEFERRED UNTIL_____ THRU: ☐ COURT ☐ P&P ☐ DNR ☐ COMM IN DEFAULT

☐ ONE PAYMENT ☐ INSTALLMENTS OF $_____ ☐ WEEK ☐ MONTH ☐ DUE TODAY $_____

PAY PUBLIC DEFENDER $_____ THRU: ☐ P&P ☐ PUBLIC DEFENDER BY:_____(DATE)

RESTITUTION $_____ (Minus paid damages of $_____) TO_____ BY:_____(DATE)

☐ ONE PAYMENT ☐ INSTALLMENTS OF $_____ ☐ WEEKLY ☐ P&P

☐ EARNINGS WITHHOLDING ORDER TO ISSUE ☐ MONTHLY ☐ OTHER_____

PROBATION ---

☐ DEFENDANT IS PLACED ON SUPERVISED PROBATION FOR _____ EFFECTIVE_____(DATE)
yrs/mos/days

☐ DEFENDANT IS PLACED ON SUPERVISED PROBATION FOR _____ UPON RELEASE
yrs/mos/days

☐ DEFENDANT IS PLACED ON UNSUPERVISED PROBATION FOR_____ EFFECTIVE_____(DATE)
yrs/mos/days

☐ SEE PROBATION/SUPERVISION DOCKET

COUNSELING & TREATMENT ---

☐ PARTICIPATE AND PAY FOR PSYCHOLOGICAL COUNSELING

LIFETIME PROBATION ---

☐ LIFETIME SEXUAL OFFENDER SUPERVISION BY SEXUAL OFFENDER MANAGEMENT TEAM

Judge: _____ Date: _____

Tracking No. 161001845524
06/2016

CRIMINAL TRIAL DOCKET

DISTRICT COURT OF MARYLAND FOR Frederick County

Case No. 2U00088412

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1710 CANAL CLIPPER CT
POINT OF ROCKS, MD 21777-0000

CC#: *SID:*
LID: DL#: M-420-029-071-482 MD
Race: 3 Sex: M Ht: 6' " Wt: 185 Hair: Eyes:
DOB: 06/24/1961 Phone(H): 301-591-4130 Phone(W):

Prosecutor:_____

Defense Attorney:_____

CHARGE: 006 6 OF 11 1 1756 CR11208 5 Y &/or $2,500.00 POSSESS CHILD PORNOGRAPHY

AMENDED:_____ ART._____ SEC._____ SUBSEC._____ PAR_____ CJIS CODE:_____

PLEA

☐ G
☐ NG
☐ NC ☐ N.G.A.S.F.
☐ NCR
☐ OTHER PLEA
☐ INC. TO STAND TRIAL

VERDICT

☐ G
☐ NG
☐ NCR
☐ CP 3-112
☐ CP 3-106b
☐ PBJ
☐ DISMISSED
☐ ABD
☐ DOMESTICALLY RELATED CRIME
☐ MARITAL PRIVILEGE INVOKED AFTER SPOUSE SWORN
☐ DISCHARGED
☐ RELEASED
☐ MERGED
☐ JA
☐ NC
☐ JT PRAYED_____ (DATE)
☐ JT WAIVED
☐ TRANSFER TO CIRCUIT COURT FOR JURY TRIAL
☐ COMPROMISED
☐ CONSENT ORDER
☐ NP_____
☐ STET_____
☐ MENTALLY RETARDED
☐ CONDITIONAL RELEASE

SUB-CURIA UNTIL_____

☐ PERFORM _____ HOURS OF COMMUNITY SERVICE ON OR BEFORE _____ (MANDATORY FOR POACHING.)
DATE

INCARCERATION ---

☐ *REPEAT OFFENDER* ☐ *IN DEFAULT OF FINE* $ _____

INCARCERATION_____ SENTENCE SUSP._____ STARTING_____(DATE)
yrs/mos/days yrs/mos/days

CONSECUTIVE TO CHARGE #_____ CONCURRENT WITH CHARGE #_____ CREDIT TIME SERVED_____
yrs/mos/days

SENTENCE IS TO RUN (SELECT1):

☐ CONCURRENTLY WITH ANY OTHER OUTSTANDING SENTENCE.
☐ CONSECUTIVE TO THE LAST OF ANY OUTSTANDING AND UNSERVED MARYLAND SENTENCE.
☐ CONSECUTIVE TO THE FOLLOWING OUTSTANDING AND UNSERVED SENTENCE(S)._____.
☐ CONSECUTIVELY TO THE SENTENCE IMPOSED IN CASE NUMBER:_____.

☐ DOC ☐ JAIL ☐ WEEKEND INCARC._____(WKS) WORK RELEASE: ☐ RECOMMENDED ☐ ORDERED

☐ HOME DETENTION THROUGH: ☐ _____ ☐ _____
Local Correctional Agency Private Company Name

FINES ---

FINE $_____ SUSP $_____

DEFERRED UNTIL_____ THRU: ☐ COURT ☐ P&P ☐ DNR ☐ COMM IN DEFAULT

☐ ONE PAYMENT ☐ INSTALLMENTS OF $_____ ☐ WEEK ☐ MONTH ☐ DUE TODAY $_____

PAY PUBLIC DEFENDER $_____ THRU: ☐ P&P ☐ PUBLIC DEFENDER BY:_____(DATE)

RESTITUTION $_____(Minus paid damages of $_____) TO_____ BY:_____(DATE)

☐ ONE PAYMENT ☐ INSTALLMENTS OF $_____ ☐ WEEKLY ☐ P&P

☐ EARNINGS WITHHOLDING ORDER TO ISSUE ☐ MONTHLY ☐ OTHER_____

PROBATION ---

☐ DEFENDANT IS PLACED ON SUPERVISED PROBATION FOR _____ EFFECTIVE_____(DATE)
yrs/mos/days

☐ DEFENDANT IS PLACED ON SUPERVISED PROBATION FOR _____ UPON RELEASE
yrs/mos/days

☐ DEFENDANT IS PLACED ON UNSUPERVISED PROBATION FOR_____ EFFECTIVE_____(DATE)
yrs/mos/days

☐ SEE PROBATION/SUPERVISION DOCKET

COUNSELING & TREATMENT ---

☐ PARTICIPATE AND PAY FOR PSYCHOLOGICAL COUNSELING

LIFETIME PROBATION ---

☐ LIFETIME SEXUAL OFFENDER SUPERVISION BY SEXUAL OFFENDER MANAGEMENT TEAM

Judge: _____ Date: _____

Tracking No. 161001845524
06/2016

CRIMINAL TRIAL DOCKET

DISTRICT COURT OF MARYLAND FOR Frederick County

Case No. 2U00088412

MALLIK, ABE ARJUN V
1710 CANAL CLIPPER CT
POINT OF ROCKS, MD 21777-0000

CC#: SID:
LID: DL#: M-420-029-071-482 MD
Race: 3 Sex: M Ht: 6' " Wt: 185 Hair: Eyes:
DOB: 06/24/1961 Phone(H): 301-591-4130 Phone(W):

Prosecutor:_____

Defense Attorney:_____

CHARGE: 007 7 OF 11 1 1756 CR11208 5 Y &/or $2,500.00 POSSESS CHILD PORNOGRAPHY

AMENDED:_____ ART. _____ SEC. _____ SUBSEC. _____ PAR_____ CJIS CODE:_____

PLEA

☐ G
☐ NG
☐ NC ☐ N.G.A.S.F.
☐ NCR
☐ OTHER PLEA
☐ INC. TO STAND TRIAL

SUB-CURIA UNTIL_____

VERDICT

☐ G
☐ NG
☐ NCR
☐ CP 3-112
☐ CP 3-106b

☐ PBJ
☐ DISMISSED
☐ ABD
☐ DOMESTICALLY RELATED CRIME
☐ MARITAL PRIVILEGE INVOKED AFTER SPOUSE SWORN
☐ DISCHARGED
☐ RELEASED

☐ MERGED
☐ JA
☐ NC
☐ JT PRAYED_____ (DATE)
☐ JT WAIVED
☐ TRANSFER TO CIRCUIT COURT FOR JURY TRIAL

☐ COMPROMISED
☐ CONSENT ORDER

☐ NP_____
☐ STET_____
☐ MENTALLY RETARDED
☐ CONDITIONAL RELEASE

☐ PERFORM _____ HOURS OF COMMUNITY SERVICE ON OR BEFORE _____ (MANDATORY FOR POACHING.)
DATE

INCARCERATION ---

☐ REPEAT OFFENDER ☐ IN DEFAULT OF FINE $ _____

INCARCERATION_____ SENTENCE SUSP._____ STARTING_____(DATE)
yrs/mos/days yrs/mos/days

CONSECUTIVE TO CHARGE #_____ CONCURRENT WITH CHARGE #_____ CREDIT TIME SERVED_____
yrs/mos/days

SENTENCE IS TO RUN (SELECT1):

☐ CONCURRENTLY WITH ANY OTHER OUTSTANDING SENTENCE.
☐ CONSECUTIVE TO THE LAST OF ANY OUTSTANDING AND UNSERVED MARYLAND SENTENCE.
☐ CONSECUTIVE TO THE FOLLOWING OUTSTANDING AND UNSERVED SENTENCE(S)._____
☐ CONSECUTIVELY TO THE SENTENCE IMPOSED IN CASE NUMBER:_____

☐ DOC ☐ JAIL ☐ WEEKEND INCARC._____(WKS) WORK RELEASE: ☐ RECOMMENDED ☐ ORDERED

☐ HOME DETENTION THROUGH: ☐ _____ ☐ _____
Local Correctional Agency Private Company Name

FINES ---

FINE $_____ SUSP $_____

DEFERRED UNTIL_____ THRU: ☐ COURT ☐ P&P ☐ DNR ☐ COMM IN DEFAULT

☐ ONE PAYMENT ☐ INSTALLMENTS OF $_____ ☐ WEEK ☐ MONTH ☐ DUE TODAY $_____

PAY PUBLIC DEFENDER $_____ THRU: ☐ P&P ☐ PUBLIC DEFENDER BY:_____(DATE)

RESTITUTION $_____ (Minus paid damages of $_____) TO_____ BY:_____(DATE)

☐ ONE PAYMENT ☐ INSTALLMENTS OF $_____ ☐ WEEKLY ☐ P&P

☐ EARNINGS WITHHOLDING ORDER TO ISSUE ☐ MONTHLY ☐ OTHER_____

PROBATION ---

☐ DEFENDANT IS PLACED ON SUPERVISED PROBATION FOR _____ EFFECTIVE_____(DATE)
yrs/mos/days

☐ DEFENDANT IS PLACED ON SUPERVISED PROBATION FOR _____ UPON RELEASE
yrs/mos/days

☐ DEFENDANT IS PLACED ON UNSUPERVISED PROBATION FOR_____ EFFECTIVE_____(DATE)
yrs/mos/days

☐ SEE PROBATION/SUPERVISION DOCKET

COUNSELING & TREATMENT ---

☐ PARTICIPATE AND PAY FOR PSYCHOLOGICAL COUNSELING

LIFETIME PROBATION ---

☐ LIFETIME SEXUAL OFFENDER SUPERVISION BY SEXUAL OFFENDER MANAGEMENT TEAM

Judge: _____ Date: _____

Tracking No. 161001845524
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DISTRICT COURT OF MARYLAND FOR Frederick County

Case No. 2U00088412

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1710 CANAL CLIPPER CT
POINT OF ROCKS, MD 21777-0000

CC#: SID:
LID: DL#: M-420-029-071-482 MD
Race: 3 Sex: M Ht: 6' " Wt: 185 Hair: Eyes:
DOB: 06/24/1961 Phone(H): 301-591-4130 Phone(W):

Prosecutor:_____

Defense Attorney:_____

CHARGE: 008 8 OF 11 1 1756 CR11208 5 Y &/or $2,500.00 POSSESS CHILD PORNOGRAPHY

AMENDED:_____ ART._____ SEC._____ SUBSEC._____ PAR_____ CJIS CODE:_____

PLEA

☐ G
☐ NG
☐ NC ☐ N.G.A.S.F.
☐ NCR
☐ OTHER PLEA
☐ INC. TO STAND TRIAL

SUB-CURIA UNTIL_____

VERDICT

☐ G
☐ NG
☐ NCR
☐ CP 3-112
☐ CP 3-106b

☐ PBJ
☐ DISMISSED
☐ ABD
☐ DOMESTICALLY RELATED CRIME
☐ MARITAL PRIVILEGE INVOKED AFTER SPOUSE SWORN
☐ DISCHARGED
☐ RELEASED

☐ MERGED
☐ JA
☐ NC
☐ JT PRAYED_____ (DATE)
☐ JT WAIVED
☐ TRANSFER TO CIRCUIT COURT FOR JURY TRIAL

☐ COMPROMISED
☐ CONSENT ORDER

☐ NP_____
☐ STET_____
☐ MENTALLY RETARDED
☐ CONDITIONAL RELEASE

☐ PERFORM _____ HOURS OF COMMUNITY SERVICE ON OR BEFORE _____ (MANDATORY FOR POACHING.)
DATE

INCARCERATION ---

☐ REPEAT OFFENDER ☐ IN DEFAULT OF FINE $_____

INCARCERATION_____ SENTENCE SUSP._____ STARTING_____(DATE)
yrs/mos/days yrs/mos/days

CONSECUTIVE TO CHARGE #_____ CONCURRENT WITH CHARGE #_____ CREDIT TIME SERVED_____
yrs/mos/days

SENTENCE IS TO RUN (SELECT1):

☐ CONCURRENTLY WITH ANY OTHER OUTSTANDING SENTENCE.
☐ CONSECUTIVE TO THE LAST OF ANY OUTSTANDING AND UNSERVED MARYLAND SENTENCE.
☐ CONSECUTIVE TO THE FOLLOWING OUTSTANDING AND UNSERVED SENTENCE(S)._____
☐ CONSECUTIVELY TO THE SENTENCE IMPOSED IN CASE NUMBER:_____

☐ DOC ☐ JAIL ☐ WEEKEND INCARC._____(WKS) WORK RELEASE: ☐ RECOMMENDED ☐ ORDERED

☐ HOME DETENTION THROUGH: ☐ _____ ☐ _____
Local Correctional Agency Private Company Name

FINES ---

FINE $_____ SUSP $_____

DEFERRED UNTIL_____ THRU: ☐ COURT ☐ P&P ☐ DNR ☐ COMM IN DEFAULT

☐ ONE PAYMENT ☐ INSTALLMENTS OF $_____ ☐ WEEK ☐ MONTH ☐ DUE TODAY $_____

PAY PUBLIC DEFENDER $_____ THRU: ☐ P&P ☐ PUBLIC DEFENDER BY:_____(DATE)

RESTITUTION $_____(Minus paid damages of $_____) TO_____ BY:_____(DATE)

☐ ONE PAYMENT ☐ INSTALLMENTS OF $_____ ☐ WEEKLY ☐ P&P

☐ EARNINGS WITHHOLDING ORDER TO ISSUE ☐ MONTHLY ☐ OTHER_____

PROBATION ---

☐ DEFENDANT IS PLACED ON SUPERVISED PROBATION FOR _____ EFFECTIVE_____(DATE)
yrs/mos/days

☐ DEFENDANT IS PLACED ON SUPERVISED PROBATION FOR _____ UPON RELEASE
yrs/mos/days

☒ DEFENDANT IS PLACED ON UNSUPERVISED PROBATION FOR_____ EFFECTIVE_____(DATE)
yrs/mos/days

☐ SEE PROBATION/SUPERVISION DOCKET

COUNSELING & TREATMENT ---

☐ PARTICIPATE AND PAY FOR PSYCHOLOGICAL COUNSELING

LIFETIME PROBATION ---

☐ LIFETIME SEXUAL OFFENDER SUPERVISION BY SEXUAL OFFENDER MANAGEMENT TEAM

Judge:_____ Date:_____

Tracking No. 161001845524
06/2016

CRIMINAL TRIAL DOCKET

DISTRICT COURT OF MARYLAND FOR Frederick County

Case No. 2U00088412

MALLIK, ABE ARJUN V
1710 CANAL CLIPPER CT
POINT OF ROCKS, MD 21777-0000

CC#: SID:
LID: DL#: M-420-029-071-482 MD
Race: 3 Sex: M Ht: 6' " Wt: 185 Hair: Eyes:
DOB: 06/24/1961 Phone(H): 301-591-4130 Phone(W):

Prosecutor:_____

Defense Attorney:_____

CHARGE: 009 9 OF 11 1 1756 CR11208 5 Y &/or $2,500.00 POSSESS CHILD PORNOGRAPHY

AMENDED:_____ ART._____ SEC._____ SUBSEC._____ PAR_____ CJIS CODE:_____

PLEA

☐ G
☐ NG
☐ NC ☐ N.G.A.S.F.
☐ NCR
☐ OTHER PLEA
☐ INC. TO STAND TRIAL

VERDICT

☐ G
☐ NG
☐ NCR
☐ CP 3-112
☐ CP 3-106b
☐ PBJ
☐ DISMISSED
☐ ABD
☐ DOMESTICALLY RELATED CRIME
☐ MARITAL PRIVILEGE INVOKED AFTER SPOUSE SWORN
☐ DISCHARGED
☐ RELEASED
☐ MERGED
☐ JA
☐ NC
☐ JT PRAYED_____ (DATE)
☐ JT WAIVED
☐ TRANSFER TO CIRCUIT COURT FOR JURY TRIAL
☐ COMPROMISED
☐ CONSENT ORDER
☐ NP_____
☐ STET_____
☐ MENTALLY RETARDED
☐ CONDITIONAL RELEASE

SUB-CURIA UNTIL_____

☐ PERFORM _____ HOURS OF COMMUNITY SERVICE ON OR BEFORE _____ (MANDATORY FOR POACHING.)
DATE

INCARCERATION ---

☐ REPEAT OFFENDER ☐ IN DEFAULT OF FINE $ _____

INCARCERATION_____ SENTENCE SUSP._____ STARTING_____(DATE)
yrs/mos/days yrs/mos/days

CONSECUTIVE TO CHARGE #_____ CONCURRENT WITH CHARGE #_____ CREDIT TIME SERVED_____
yrs/mos/days

SENTENCE IS TO RUN (SELECT1):

☐ CONCURRENTLY WITH ANY OTHER OUTSTANDING SENTENCE.
☐ CONSECUTIVE TO THE LAST OF ANY OUTSTANDING AND UNSERVED MARYLAND SENTENCE.
☐ CONSECUTIVE TO THE FOLLOWING OUTSTANDING AND UNSERVED SENTENCE(S).
☐ CONSECUTIVELY TO THE SENTENCE IMPOSED IN CASE NUMBER:_____.

☐ DOC ☐ JAIL ☐ WEEKEND INCARC._____(WKS) WORK RELEASE: ☐ RECOMMENDED ☐ ORDERED

☐ HOME DETENTION THROUGH: ☐ _____ ☐ _____
Local Correctional Agency Private Company Name

FINES ---

FINE $_____ SUSP $_____

DEFERRED UNTIL_____ THRU: ☐ COURT ☐ P&P ☐ DNR ☐ COMM IN DEFAULT

☐ ONE PAYMENT ☐ INSTALLMENTS OF $_____ ☐ WEEK ☐ MONTH ☐ DUE TODAY $_____

PAY PUBLIC DEFENDER $_____ THRU: ☐ P&P ☐ PUBLIC DEFENDER BY:_____(DATE)

RESTITUTION $_____ (Minus paid damages of $_____) TO_____ BY:_____(DATE)

☐ ONE PAYMENT ☐ INSTALLMENTS OF $_____ ☐ WEEKLY ☐ P&P
☐ EARNINGS WITHHOLDING ORDER TO ISSUE ☐ MONTHLY ☐ OTHER_____

PROBATION ---

☐ DEFENDANT IS PLACED ON SUPERVISED PROBATION FOR _____ EFFECTIVE_____(DATE)
yrs/mos/days

☐ DEFENDANT IS PLACED ON SUPERVISED PROBATION FOR _____ UPON RELEASE
yrs/mos/days

☐ DEFENDANT IS PLACED ON UNSUPERVISED PROBATION FOR_____ EFFECTIVE_____(DATE)
yrs/mos/days
☐ SEE PROBATION/SUPERVISION DOCKET

COUNSELING & TREATMENT ---

☐ PARTICIPATE AND PAY FOR PSYCHOLOGICAL COUNSELING

LIFETIME PROBATION ---

☐ LIFETIME SEXUAL OFFENDER SUPERVISION BY SEXUAL OFFENDER MANAGEMENT TEAM

Judge:_____ Date:_____

Tracking No. ***161001845524***
06/2016

CRIMINAL TRIAL DOCKET

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Case No. 2U00088412

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CC#: SID:
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Race: 3 Sex: M Ht: 6' " Wt: 185 Hair: Eyes:
DOB: 06/24/1961 Phone(H): 301-591-4130 Phone(W):

Prosecutor:_____

Defense Attorney:_____

CHARGE: 010 10 OF 11 1 1756 CR11208 5 Y &/or $2,500.00 POSSESS CHILD PORNOGRAPHY

AMENDED:_____ ART._____ SEC._____ SUBSEC._____ PAR_____ CJIS CODE:_____

PLEA

☐ G
☐ NG
☐ NC ☐ N.G.A.S.F.
☐ NCR
☐ OTHER PLEA
☐ INC. TO STAND TRIAL

VERDICT

☐ G
☐ NG
☐ NCR
☐ CP 3-112
☐ CP 3-106b

☐ PBJ
☐ DISMISSED
☐ ABD
☐ DISCHARGED
☐ RELEASED

☐ MERGED
☐ JA
☐ NC
☐ JT PRAYED_____ (DATE)
☐ JT WAIVED

☐ COMPROMISED
☐ CONSENT ORDER

☐ NP_____
☐ STET_____

☐ DOMESTICALLY RELATED CRIME
☐ MARITAL PRIVILEGE INVOKED AFTER SPOUSE SWORN
☐ TRANSFER TO CIRCUIT COURT FOR JURY TRIAL

☐ MENTALLY RETARDED
☐ CONDITIONAL RELEASE

SUB-CURIA UNTIL_____

☐ PERFORM _____ HOURS OF COMMUNITY SERVICE ON OR BEFORE _____ (MANDATORY FOR POACHING.)
DATE

INCARCERATION ---

☐ REPEAT OFFENDER ☐ IN DEFAULT OF FINE $_____

INCARCERATION_____ SENTENCE SUSP._____ STARTING_____(DATE)
yrs/mos/days yrs/mos/days

CONSECUTIVE TO CHARGE #_____ CONCURRENT WITH CHARGE #_____ CREDIT TIME SERVED_____
yrs/mos/days

SENTENCE IS TO RUN (SELECT1):

☐ CONCURRENTLY WITH ANY OTHER OUTSTANDING SENTENCE.
☐ CONSECUTIVE TO THE LAST OF ANY OUTSTANDING AND UNSERVED MARYLAND SENTENCE.
☐ CONSECUTIVE TO THE FOLLOWING OUTSTANDING AND UNSERVED SENTENCE(S)._____.
☐ CONSECUTIVELY TO THE SENTENCE IMPOSED IN CASE NUMBER:_____.

☐ DOC ☐ JAIL ☐ WEEKEND INCARC._____(WKS) WORK RELEASE: ☐ RECOMMENDED ☐ ORDERED

☐ HOME DETENTION THROUGH: ☐ _____ ☐ _____
Local Correctional Agency Private Company Name

FINES ---

FINE $_____ SUSP $_____
DEFERRED UNTIL_____ THRU: ☐ COURT ☐ P&P ☐ DNR ☐ COMM IN DEFAULT
☐ ONE PAYMENT ☐ INSTALLMENTS OF $_____ ☐ WEEK ☐ MONTH ☐ DUE TODAY $_____
PAY PUBLIC DEFENDER $_____ THRU: ☐ P&P ☐ PUBLIC DEFENDER BY:_____(DATE)
RESTITUTION $_____ (Minus paid damages of $_____) TO_____ BY:_____(DATE)
☐ ONE PAYMENT ☐ INSTALLMENTS OF $_____ ☐ WEEKLY ☐ P&P
☐ *EARNINGS WITHHOLDING ORDER TO ISSUE* ☐ *MONTHLY* ☐ *OTHER*_____

PROBATION ---

☐ DEFENDANT IS PLACED ON SUPERVISED PROBATION FOR _____ EFFECTIVE_____(DATE)
yrs/mos/days

☐ DEFENDANT IS PLACED ON SUPERVISED PROBATION FOR _____ UPON RELEASE
yrs/mos/days

☐ DEFENDANT IS PLACED ON UNSUPERVISED PROBATION FOR_____ EFFECTIVE_____(DATE)
yrs/mos/days
☐ SEE PROBATION/SUPERVISION DOCKET

COUNSELING & TREATMENT ---

☐ PARTICIPATE AND PAY FOR PSYCHOLOGICAL COUNSELING

LIFETIME PROBATION ---

☐ LIFETIME SEXUAL OFFENDER SUPERVISION BY SEXUAL OFFENDER MANAGEMENT TEAM

Judge: _____ Date: _____

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Prosecutor:_____

Defense Attorney:_____

CHARGE: 011 11 OF 11 1 1756 CR11208 5 Y &/or $2,500.00 POSSESS CHILD PORNOGRAPHY

AMENDED:_____ ART._____ SEC._____ SUBSEC._____ PAR_____ CJIS CODE:_____

PLEA

☐ G
☐ NG
☐ NC ☐ N.G.A.S.F.
☐ NCR
☐ OTHER PLEA
☐ INC. TO STAND TRIAL

VERDICT

☐ G
☐ NG
☐ NCR
☐ CP 3-112
☐ CP 3-106b

☐ PBJ
☐ DISMISSED
☐ ABD
☐ DOMESTICALLY RELATED CRIME
☐ MARITAL PRIVILEGE INVOKED AFTER SPOUSE SWORN
☐ DISCHARGED
☐ RELEASED

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☐ NC
☐ JT PRAYED_____ (DATE)
☐ JT WAIVED
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☐ COMPROMISED
☐ CONSENT ORDER

☐ NP_____
☐ STET_____
☐ MENTALLY RETARDED
☐ CONDITIONAL RELEASE

SUB-CURIA UNTIL_____

☐ PERFORM _____ HOURS OF COMMUNITY SERVICE ON OR BEFORE _____ (MANDATORY FOR POACHING.)
DATE

INCARCERATION ---

☐ REPEAT OFFENDER ☐ IN DEFAULT OF FINE $ _____

INCARCERATION_____ SENTENCE SUSP._____ STARTING_____(DATE)
yrs/mos/days yrs/mos/days

CONSECUTIVE TO CHARGE #_____ CONCURRENT WITH CHARGE #_____ CREDIT TIME SERVED_____
yrs/mos/days

SENTENCE IS TO RUN (SELECT1):

☐ CONCURRENTLY WITH ANY OTHER OUTSTANDING SENTENCE.
☐ CONSECUTIVE TO THE LAST OF ANY OUTSTANDING AND UNSERVED MARYLAND SENTENCE.
☐ CONSECUTIVE TO THE FOLLOWING OUTSTANDING AND UNSERVED SENTENCE(S).
☐ CONSECUTIVELY TO THE SENTENCE IMPOSED IN CASE NUMBER:

☐ DOC ☐ JAIL ☐ WEEKEND INCARC._____(WKS) WORK RELEASE: ☐ RECOMMENDED ☐ ORDERED

☐ HOME DETENTION THROUGH: ☐ _____ ☐ _____
Local Correctional Agency Private Company Name

FINES ---

FINE $_____ SUSP $_____

*DEFERRED UNTIL*_____ *THRU:* ☐ *COURT* ☐ *P&P* ☐ *DNR* ☐ *COMM IN DEFAULT*

☐ ONE PAYMENT ☐ INSTALLMENTS OF $_____ ☐ WEEK ☐ MONTH ☐ DUE TODAY $_____

PAY PUBLIC DEFENDER $_____ THRU: ☐ P&P ☐ PUBLIC DEFENDER BY:_____(DATE)

RESTITUTION $_____ (Minus paid damages of $_____) TO_____ BY:_____(DATE)

☐ ONE PAYMENT ☐ INSTALLMENTS OF $_____ ☐ WEEKLY ☐ P&P
☐ EARNINGS WITHHOLDING ORDER TO ISSUE ☐ MONTHLY ☐ OTHER_____

PROBATION ---

☐ DEFENDANT IS PLACED ON SUPERVISED PROBATION FOR _____ EFFECTIVE_____(DATE)
yrs/mos/days

☐ DEFENDANT IS PLACED ON SUPERVISED PROBATION FOR _____ UPON RELEASE
yrs/mos/days

☐ DEFENDANT IS PLACED ON UNSUPERVISED PROBATION FOR_____ EFFECTIVE_____(DATE)
yrs/mos/days
☐ SEE PROBATION/SUPERVISION DOCKET

COUNSELING & TREATMENT ---

☐ PARTICIPATE AND PAY FOR PSYCHOLOGICAL COUNSELING

LIFETIME PROBATION ---

☐ LIFETIME SEXUAL OFFENDER SUPERVISION BY SEXUAL OFFENDER MANAGEMENT TEAM

Judge: _____ Date: _____

Tracking No. 161001845524
06/2016

CRIMINAL TRIAL DOCKET

TL6-3156

DISTRICT COURT OF MARYLAND FOR Frederick County

Located at 100 West Patrick St, Frederick, Maryland 21701

Case No. 2U00088412

STATE OF MARYLAND VS. MALLIK, ABE ARJUN V

1710 CANAL CLIPPER CT
POINT OF ROCKS, MD 21777-0000

CC#: 16-27615 SID:
LID: DL#: M-420-029-071-482 MD
Race: 3 Sex: M Ht: 6' " Wt: 185 Hair: Eyes:
DOB: 06/24/1961 Phone(H): 301-591-4130 Phone(W):

Charge | Statute | Arrest
POSSESS CHILD PORNOGRAPHY | CR 11 208 |
POSSESS CHILD PORNOGRAPHY | CR 11 208 |
POSSESS CHILD PORNOGRAPHY | CR 11 208 |
POSSESS CHILD PORNOGRAPHY | CR 11 208 |
POSSESS CHILD PORNOGRAPHY | CR 11 208 |
POSSESS CHILD PORNOGRAPHY | CR 11 208 |

Charge | Statute | Arrest
POSSESS CHILD PORNOGRAPHY | CR 11 208 |
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POSSESS CHILD PORNOGRAPHY | CR 11 208 |
POSSESS CHILD PORNOGRAPHY | CR 11 208 |
POSSESS CHILD PORNOGRAPHY | CR 11 208 |

RECEIVED
2016 NOV 16 PM 1:58
DISTRICT COURT DIV. 1
FREDERICK

CRIMINAL SUMMONS ON CHARGING DOCUMENT

ORIGINAL-RETURN TO DISTRICT COURT 11-01

STATE OF MARYLAND, Frederick County, to wit:

To the Defendant:

YOU ARE SUMMONED AND COMMANDED to appear for Trial in this Court on 12/14/2016 at 8:30AM, Room: 01 to answer the charge(s) lodged against you in the charging document attached hereto.

NOTICE TO DEFENDANT: If you fail to appear at the place, time and date set forth above, a warrant for your arrest may be issued. If you change your name, address, or telephone number, you must notify the Court at the above location prior to the trial date.

To request a foreign language interpreter or a reasonable accommodation under the Americans with Disabilities Act, please contact the court immediately. TTY users call Maryland RELAY: 711

Date: 11/02/2016 ~~Judge~~/Commissioner/~~Clerk~~: Stephen Freyer B052 Commissioner IDB052

Given to FREDERICK COUNTY SHERIFF'S DEPT

NOTICE TO OFFICER: If not served by 12/01/2016, return to the Court.

ACKNOWLEDGEMENT

I acknowledge receipt of a copy of this Summons and hereby promise to appear as required by the Summons. I understand that acceptance of this Summons is not an admission of guilt but that my failure to appear at the place, time and date herein set forth will result in the issuance of a warrant for my arrest.

Date: 11/11/16 Signature of Defendant: [signature]

RETURN OF SERVICE

☒ I certify that I delivered a copy of this Summons personally at 1440 P M on 11/11/16 at FCLEC

☐ I certify that the defendant could not be found.

☐ I certify that I personally attempted to deliver a copy of this Summons to the Defendant but he refused to accept the same and/or sign a receipt for same.

Signature & Title of Peace Officer: [signature] Date: 11/11/16

Printed Name of Officer: DeStefano

Agency, Sub-Agency, I.D.: ZS 10 411

Tracking No. 161001845524

NOV 7 17:16

ORIGINAL-RETURN TO DISTRICT COURT 11-01

DISTRICT COURT OF MARYLAND FOR Frederick County

Located at 100 West Patrick St, Frederick, Maryland 21701

Case No. 2U00088412

STATE OF MARYLAND **VS.** **MALLIK, ABE ARJUN V**

1710 CANAL CLIPPER CT
POINT OF ROCKS, MD 21777

COMPLAINANT:
Officer: SNYDER
Agency/Subagency: ZJ 10
Officer ID: 0400

CC#: SID:
LID: DL#: M-420-029-071-482 MD
Race: 3 Sex: M Ht: 6' " Wt: 185 Hair: Eyes:
DOB: 06/24/1961 Phone(H): 301-591-4130 Phone(W):

STATEMENT OF CHARGES

UPON THE FACTS CONTAINED IN THE APPLICATION OF Officer: SNYDER IT IS FORMALLY CHARGED THAT MALLIK, ABE ARJUN V at the dates, times and locations specified below:

NUM	CHG/CIT	STATUTE	PENALTY	DESCRIPTION OF THE CHARGE
001	1 1756	CR 11 208	5 Y &/or $2,500.00	POSSESS CHILD PORNOGRAPHY On or About 03/03/2016 CANAL CLIPPER CT PT OF ROCKS MD FREDERICK COUNTY ...did knowingly possess a photograph to wit: a prepubescent white female, nude from waist down, lying on her back with her legs spread open, shown with an adult male inserting his penis into the female's vagina, depicting an individual under 16 years of age engaged in sexual conduct. *Against the Peace, Government, and Dignity of the State.*
002	1 1756	CR 11 208	5 Y &/or $2,500.00	POSSESS CHILD PORNOGRAPHY On or About 03/03/2016 CANAL CLIPPER CT PT OF ROCKS MD FREDERICK COUNTY ...did knowingly possess a photograph to wit: a prepubescent white female, wearing a pink shirt, nude from waist down, on a couch, with her legs spread open, shown with an adult male inserting his penis into the female's vagina, depicting an individual under 16 years of age engaged in sexual conduct. Against the Peace, Government, and Dignity of the State.
003	1 1756	CR 11 208	5 Y &/or $2,500.00	POSSESS CHILD PORNOGRAPHY On or About 03/03/2016 CANAL CLIPPER CT PT OF ROCKS MD FREDERICK COUNTY ...did knowingly possess a photograph to wit: a prepubescent white female, nude, on a bed, bending over, shown with a white male inserting his penis into the female's anus, depicting an individual under 16 years of age engaged in sexual conduct. Against the Peace, Government, and Dignity of the State.
004	1 1756	CR 11 208	5 Y &/or $2,500.00	POSSESS CHILD PORNOGRAPHY *On or About 03/03/2016* CANAL CLIPPER CT PT OF ROCKS MD FREDERICK COUNTY ...did knowingly possess a photograph to wit: a prepubescent white female, lying on a bed with her legs spread open exposing her vagina, shown with an erect penis a shrot distance away from the female's vagina, depicting an individual under 16 years of age engaged in sexual conduct. Against the Peace, Government, and Dignity of the State.
005	1 1756	CR 11 208	5 Y &/or $2,500.00	POSSESS CHILD PORNOGRAPHY On or About 03/03/2016 CANAL CLIPPER CT PT OF ROCKS MD FREDERICK COUNTY ...did knowingly possess a photograph to wit: a prepubescent white female, wearing a yellow shirt, nude from waist down, with her legs open exposing her vagina, shown with an erect penis a short distance away from the female's vagina,

Date : 11/02/2016 Time : 11:32 AM

Tracking No. 161001845524

Judicial Officer: Stephen Meyers B052 Commissioner **B052**

ORIGINAL-RETURN TO DISTRICT COURT 11-01

DISTRICT COURT OF MARYLAND FOR Frederick County

Located at 100 West Patrick St, Frederick, Maryland 21701

Case No. 2U00088412

STATE OF MARYLAND VS. MALLIK, ABE ARJUN V

				depicting an individual under 16 years of age engaged in sexual conduct. Against the Peace, Government, and Dignity of the State.
006	1 1756	CR 11 208	5 Y &/or $2,500.00	POSSESS CHILD PORNOGRAPHY On or About 03/03/2016 CANAL CLIPPER CT PT OF ROCKS MD FREDERICK COUNTY ...did knowingly possess a photograph to wit: a prepubescent white female, nude, on a bed, with her legs spread open exposing her vagina, shown with an erect penis hovering over the female's body, with a white colored liquid on the female's body, depicting an individual under 16 years of age engaged in sexual conduct. Against the Peace, Government, and Dignity of the State.
007	1 1756	CR 11 208	5 Y &/or $2,500.00	POSSESS CHILD PORNOGRAPHY On or About 03/03/2016 CANAL CLIPPER CT PT OF ROCKS MD FREDERICK COUNTY ...did knowingly possess a photograph to wit: a prepubescent white female, nude, on a bed with her legs open shown with a cat's face against the female's vagina, depicting an individual under 16 years of age engaged in sexual conduct. Against the Peace, Government, and Dignity of the State.
008	1 1756	CR 11 208	5 Y &/or $2,500.00	POSSESS CHILD PORNOGRAPHY On or About 03/03/2016 CANAL CLIPPER CT PT OF ROCKS MD FREDERICK COUNTY ...did knowingly possess a photograph to wit: a prepubescent white female, nude from waist down shown licking the penis of a dog, depicting an individual under 16 years of age engaged in sexual conduct. Against the Peace, Government, and Dignity of the State.
009	1 1756	CR 11 208	5 Y &/or $2,500.00	POSSESS CHILD PORNOGRAPHY On or About 03/03/2016 CANAL CLIPPER CT PT OF ROCKS MD FREDERICK COUNTY ...did knowingly possess a photograph to wit: a prepubescent white male, wearing a white baseball cap, standing upright with his underwear down, shown with a white adult female apparently having the white male's penis on her tongue while she is holding his underwear, depicting an individual under 16 years of age engaged in sexual conduct. Against the Peace, Government, and Dignity of the State.
010	1 1756	CR 11 208	5 Y &/or $2,500.00	POSSESS CHILD PORNOGRAPHY On or About 03/03/2016 CANAL CLIPPER CT PT OF ROCKS MD FREDERICK COUNTY ...did knowingly possess a photograph to wit: a prepubescent white male, apparently wearing a spider-man t shirt,, standing between the legs of a seated female wearing panties and a bra, with the male's hand underneath her panties, depicting an individual under 16 years of age engaged in sexual conduct. Against the Peace, Government, and Dignity of the State.
011	1 1756	CR 11 208	5 Y &/or $2,500.00	POSSESS CHILD PORNOGRAPHY On or About 03/03/2016 CANAL CLIPPER CT PT OF ROCKS MD FREDERICK COUNTY ...did knowingly possess a photograph to wit: a prepubescent white male lying on his back, shown with a white female wearing a white robe apparently with the white male's penis in her mouth, depicting an individual under 16 years of age engaged in sexual conduct. Against the Peace, Government, and Dignity of the State.

Date : 11/02/2016 Time : 11:32 AM **Judicial Officer:** _____ **B052**

Tracking No. 161001845524

DISTRICT COURT OF MARYLAND FOR Frederick County (City/County)

LOCATED AT (COURT ADDRESS)
100 W. Patrick Street
Frederick, Maryland 21701-5548

DC Case : 2U00088412

RELATED CASES:

COMPLAINANT	DEFENDANT
Det. Snyder Printed Name	Abe-Arjun Viswamitra Mallik Printed Name
110 Airport Dr E Number and Street Address	1710 Canal Clipper Ct Number and Street Address
Frederick, MD, 21701 — 3016001046 City, State, and Zip Code — Telephone	Point of Rocks, MD 21777 — 301-591-4130 City, State, and Zip Code — Telephone
ZJ, 10, #0400 Agency, sub-agency, and I.D. # (Officer Only)	CC# 16-27615

DEFENDANT'S DESCRIPTION: Driver's License# M420029847482 Sex M Race A Ht 6' Wt 185

Hair _____ Eyes _____ Complexion _____ Other _____ D.O.B 6/24/61 ID _____

APPLICATION FOR STATEMENT OF CHARGES

Page 1 of 5

I, the undersigned, apply for statement of charges and a summons or warrant which may lead to the arrest of the above named Defendant because on or about 3/3/16 (Date) at 1710 Canal Clipper Ct, Point of Rocks, MD (Place), the above named Defendant

See Statement of probable cause

(Concise statement of facts showing that there is probable cause to believe that a crime has been committed and that the Defendant has committed it):

(Continued on attached _____ pages) (DC/CR 1A)

I solemnly affirm under the penalties of perjury that the contents of this Application are true to the best of my knowledge, information and belief.

11-28-16 (Date) — Det. Snyder (Officer's Signature)

I have read or had read to me and I understand the Notice on the back of this form.

_____ (Date) — _____ (Applicant's Signature)

Subscribed and sworn to before me this 28 day of November (Month) 2016 (Year)

Time: 11:00 AM Judge/Commissioner _____ I.D.

I understand that a charging document will be issued and that I must appear for trial ☐ on _____ (Date) at _____ (Time), ☐ when notified by the Clerk, at the Court location shown at the top of this form.

_____ (Applicant's Signature)

☐ I have advised applicant of shielding right. ☐ Applicant declines shielding.

☐ I declined to issue a charging document because of lack of probable cause.

_____ (Date) _____ (Commissioner) _____ I.D.

Tr.#161001845524

DC/CR 1 (Rev. 12/2006)

COURT COPY

DISTRICT COURT OF MARYLAND FOR Frederick County (City/County)

LOCATED AT (COURT ADDRESS)
100 W. Patrick Street
Frederick, Maryland 21701-5548

DISTRICT COURT CASE NUMBER

DEFENDANT'S NAME (LAST, FIRST, M.I.)
Mallik, Abe-Arjun Viswamitra

APPLICATION FOR STATEMENT OF CHARGES (CONTINUED) Page 2 of 5

In July 2016 I, Detective Snyder, was assigned this investigation after the retirement of Detective Elrod. Based on reading the reports in this case report and the investigation done on my part, I ascertained the following:

Det. Elrod received Cybertip 8588030 which was forwarded to him by the Maryland State Police from the National Center for Missing and Exploited Children (NCMEC).

Cybertip 8588030 was reported to NCMEC by Google Inc. on 03/04/16. Google Inc. reported email account Man.Maryland@gmail.com for uploading 6 images as an attachment to an email on 03/03/2016 utilizing IP address 74.115.215.193. Det. Elrod confirmed the 6 images to be child pornography and provided a description of two listed below:

File Name: index.39jpg.jpg
Description: A prepubescent white female nude from the waist down lying on her back. The female has her legs spread open. There is an adult white male shown inserting his penis into the female`s vagina.
The female is wearing pink, purple, and white shirt.

File Name: index6.png
Description: A prepubescent white female nude from the waist down. The female appears be on a couch that is tan in color. The female is shown with her legs spread open. There is an adult male shown inserting his penis into the female`s vagina. The female is wearing a pink shirt.

I reviewed the images of suspected child pornography and noted that the description provided by Detective Elrod is consistent with what I saw. Below is a description of the reaming images from the Cybertip:

File Name: index.png
Description: Prepubescent white female nude on a bed bending over. There is a white male in the image shown inserting his penis into the female`s anus. The male lower half is only captured in the image.

File Name: index4.png
Description: Prepubescent white female shown lying on a bed with her legs spread open exposing her vagina. There is an erect penis in the image a short distance away from the female`s vagina.

File Name: index5.jpg
Description: Description: Prepubescent white female nude from the waist down with her legs open exposing her vagina. The female is wearing a yellow shirt with writing "like a super star". There is an erect penis a short distance from the females vagina.

Date

Applicant's Signature

TRACKING NUMBER

DC/CR 1A (Rev. 1/2002)

DISTRICT COURT OF MARYLAND FOR Frederick County (City/County)

LOCATED AT (COURT ADDRESS)
100 W. Patrick Street
Frederick, Maryland 21701-5548

DISTRICT COURT CASE NUMBER

DEFENDANT'S NAME (LAST, FIRST, M.I.)
Mallik, Abe-Arjun Viswamitra

APPLICATION FOR STATEMENT OF CHARGES (CONTINUED) Page 3 of 5

File Name: index5.png
Description: White prepubescent female nude on a bed with her legs spread open exposing her vagina. There is an erect penis hovering over the female's body. Additionally, there is a white colored liquid on the female's body.

Google Inc. provided several IP address in the Cybertip, which NCMEC queried to obtain the service provider. For IP address 150.148.14.96, the service provider is Parklawn Computer Center DIMES HQ Food and Drug Administration. For IP address, 76.100.27.72 the service provider is Comcast Cable Communications. There are several IP addresses at are provided by Fast / Serv Networks LLC.

Det. Elrod sent preservation request and court orders to the service providers in this case.

On 04/01/16, Comcast Cable Communications responded to a court order for subscriber information on IP address 76.100.27.72. Comcast Cable Communications advised that IP address 76.100.27.72 was subscribed to the below subscriber from 10/05/2015 to 03/24/2016:

Subscriber Name: Mr. Abe Mallik
Service Address: 1710 Canal Clipper Ct., Point of Rocks, MD 21777
Telephone #: 202-256-0241, 301-591-4130

Det. Elrod reviewed the Cybertip and noted that IP address 76.100.27.72 was used to access the suspect account Man.Maryland@gmail.com 14 times from 02/05/2016 to 03/02/2016. That timeframe falls within the period that IP address 76.100.27.72 was assigned to 1710 Canal Clipper Ct., Point of Rocks, MD 21777.

Det. Elrod conducted a search via FCSO I-leads name records for individuals with an address of 1710 Canal Clipper Ct., Point of Rocks, MD 21777 yielded the name record listed below:

Recorded # 598317: Mallik, Abe-arjun Viswamitra DOB 06/24/61

A check in MVA returned a result of Mallik, Abe-arjun Viswamitra (DOB 06/24/61) with an address of 1710 Canal Clipper Ct., Point of Rocks, MD 21777.

On 04/20/16 Det. Elrod received a response from Google Inc. regarding a court order for information on account Man.Maryland@gmail.com. Below is the listed subscriber information regarding the account:

4/27/16
Date

Applicant's Signature

TRACKING NUMBER

DC/CR 1A (Rev. 1/2002)

DISTRICT COURT OF MARYLAND FOR Frederick County (City/County)

LOCATED AT (COURT ADDRESS)
100 W. Patrick Street
Frederick, Maryland 21701-5548

DISTRICT COURT CASE NUMBER

DEFENDANT'S NAME (LAST, FIRST, M.I.)
Mallik, Abe-Arjun Viswamitra

APPLICATION FOR STATEMENT OF CHARGES (CONTINUED) Page 4 of 5

GOOGLE SUBSCRIBER INFORMATION
Name: Maryland Man
e-Mail: Man.Maryland@gmail.com
Status: Disabled
End of Service Date: 2016/03/03-07:26:06-UTC
Recovery e-Mail: man_Maryland@yahoo.com
Created on: 2010/07/26-00:16:48-UTC
Terms of Service IP: 69.255.157.183, on 2010/07/26-00:16:47-UTC
Language Code: en
Google Account ID: 1023746839679

On 04/21/16 a search and seizure warrant was executed at 1710 Canal Clipper Court, Point of Rocks, MD by members of the Frederick County Sheriff's Office Criminal Investigations Division, Agents with Office of the Inspector General's Office, and Department of Homeland Security. Multiple digital devices were seized and brought back to the Frederick County Sheriff's Office were they would be turned over and analyzed by Homeland Security Investigations Computer Forensic Analyst Gibson.

On 5/5/16 Det. Elrod received a response from Fast Serv Networks with regards to IP address 74.115.215.193. As noted earlier this was the IP address associated with the NCMEC tip. Det. Elrod was advised that this IP address is associated with Privax (AVG Technologies), which is the parent company of a virtual private network (VPN) provider called Hide My Ass! (HMA). Because HMA is based out of the United Kingdom, Det. Elrod reached out to the FBI's regional agent for help in trying to obtain information from HMA. I noted that Det. Elrod conducted an interview with Mr. Mallik on 5/17/16. In this interview Mr. Mallik advised that he signed up for HMA. In addition, documents from Mr. Mallik were also provided to Det. Elrod once of which was a online order confirmation for HMA. I would later receive a response from United Kingdom's National Crime Agency with the subscriber information and IP logs for the month of April. I noted that that the subscriber information was consistent with what was on the HMA online order confirmation. I noted that logins to HMA for the moth of April were using IP address of 76.100.27.72.

On 5/4/16 Det. Elrod received a response back from Google Inc. in reference to a search and seizure warrant regarding Man.Maryland@gmail.com. Det. Elrod noted that included in the response were attachments and emails with the six images that initiated the Cybertip. Along with the original six images that were described above, there were an additional six other pornographic images (12 total images). I took the opportunity to review these additional images and noted that that there were two images that meet the criteria set forth under CR 11-208. Below is a description of these two images that was provided by Det. Elrod.

Image: index3.png
Description: Prepubescent white female shown nude on a bed with her legs spread open. There is a cat shown in the image with its face against the female's vagina.

Image: index7.png
Description: Prepubescent white female nude from the waist down. The female is shown licking the penis of a dog.

11/2/16
Date

Applicant's Signature

TRACKING NUMBER

DC/CR 1A (Rev. 1/2002)

DISTRICT COURT OF MARYLAND FOR Frederick County (City/County)

LOCATED AT (COURT ADDRESS)
100 W. Patrick Street
Frederick, Maryland 21701-5548

DISTRICT COURT CASE NUMBER

DEFENDANT'S NAME (LAST, FIRST, M.I.)
Mallik, Abe-Arjun Viswamitra

APPLICATION FOR STATEMENT OF CHARGES (CONTINUED) Page 5 of 5

I noted that these 12 images were emailed to callme_tim@yahoo.com in the early morning hours of 3/3/16. I noted that on 6/15/16 Det. Elrod received a response from a Court Order he sent Yahoo! in reference to callme_tim@yahoo.com. Det Elrod noted that the majority of the IP logins used were 150.148.14.96 and 76.100.27.72. These IP have already been associated with either Mallik's employer, or to his residence. I noted that during the time frame of when the email with suspected child porn was sent from man.maryland@gmail.com to callme_tim@yahoo.com, IP address 76.100.27.72 was used to login into the Yahoo account.

I was provided the results from the examination of the digital devices obtained from the search and search and seizure warrant at 1710 Canal Clipper Court. I noted that Computer Forensic Analyst Gibson located suspected child pornography on an Acer laptop. Amongst the the images that were flagged I determined that three images were meet the criteria of suspected child pornography. These images are described below:

File name: index14.png
Description: A prepubescent white male wearing a white baseball cap and underwear. The male subject is standing upright with his underwear down. A white adult female appears to have the prepubescent white male's penis on her tongue while she is holding his underwear.

File name: index13.png
Description: A prepubescent white male that is standing between the legs of a female who is wearing panties and a bra. The female is seated while the prepubescent white male has his hand underneath her panties. The prepubescent white male appears to be wearing a grey t-shirt with Spider Man depicted on the front.

File name: delete3.jpg
Description: An adult white female wearing a white robe with her breasts partially exposed appears to have the penis of a prepubescent white male in her mouth. The prepubescent white male is lying down on his back. The face of the prepubescent white male is not shown.

I would respectfully request the following charges against Abe-Arjun Viswamitra Mallik.

11 counts of Possession of Child Pornography (11-208).

All events occurred in Frederick County.

11/2/16
Date

Applicant's Signature

TRACKING NUMBER

DC/CR 1A (Rev. 1/2002)

IMPORTANT NOTICE

The attached papers charge you with committing a crime. Depending on the crime charged, a **jail sentence** could be imposed by the Court if you are found guilty. You should be represented at a trial by a lawyer. **ACT IMMEDIATELY** to contact the Public Defender or to hire private counsel. If you do not have the money to hire private counsel, you should contact the OFFICE OF THE PUBLIC DEFENDER immediately. If you wait to arrange for a Public Defender or private counsel, you can be made to stand trial without a lawyer. You may contact any Public Defender office including:

COURTHOUSE
100 WEST PATRICK STREET
FREDERICK, MARYLAND 21701
301-600-1988
[PUBLIC DEFENDER TOLL FREE NUMBER FOR ASSISTANCE: 1-877-430-5187]

The following papers are required to obtain Public Defender Services:

1. Court charging documents/Traffic tickets. (Statement of Charges/All documents issued to you by Court).
2. Trial date notices from the Court. (Contact the Public Defender as soon as possible even if you have not received a trial date notice.)
3. If you are employed:
   Proof of current income in the form of salary or pay stubs for the last two pay periods.
4. If you are unemployed:
   Proof of public assistance, medical assistance, AFDC, Social Security or Supplemental Security Income (SSI), or other assistance you are receiving.

The Office of the Public Defender is open weekdays from 8:30 a.m. to 4:30 p.m.
Call immediately to find out when and how you can make your application.

RECEIPT

I have read, or have had read to me, the contents of the above notice and acknowledge receipt of a copy thereof.

11/11/16
DATE

SIGNATURE OF DEFENDANT

IF YOU DO NOT HAVE A LAWYER ON THE TRIAL DATE, YOU MAY HAVE TO GO TO TRIAL WITHOUT THE ASSISTANCE OF A LAWYER.

NOTICE OF ADVICE OF RIGHT TO COUNSEL FOR ALL JUDICIAL PROCEEDINGS

TO THE PERSON CHARGED:

1. This paper charges you with committing a crime.
2. If you have been arrested and remain in custody, you have the right to have a judicial officer decide whether you should be released from jail until your trial.
3. If you have been served with a citation or summons directing you to appear before a judicial officer for a preliminary inquiry at a date and time designated or within five days of service if no time is designated, a judicial officer will advise you of your rights, the charges against you, and penalties. The preliminary inquiry will be cancelled if a lawyer has entered an appearance to represent you.
4. You have the right to have a lawyer.
5. A lawyer can be helpful to you by:
   (A) explaining the charges in this paper;
   (B) telling you the possible penalties;
   (C) helping you at trial;
   (D) helping you protect your constitutional rights; and
   (E) helping you to get a fair penalty if convicted.
6. Even if you plan to plead guilty, a lawyer can be helpful.
7. If you are eligible, the Public Defender or a court-appointed attorney will represent you at any initial appearance before a judicial officer and at any proceeding under Rule 4-216.1 to review an order of a District Court commissioner regarding pretrial release. If you want a lawyer for any further proceeding, including trial, but do not have the money to hire one, the Public Defender may provide a lawyer for you. The court clerk will tell you how to contact the Public Defender.
8. If you want a lawyer but you cannot get one and the Public Defender will not provide one for you, contact the court clerk as soon as possible.
9. **DO NOT WAIT UNTIL THE DATE OF YOUR TRIAL TO GET A LAWYER.** If you do not have a lawyer before the trial date, you may have to go to trial without one.

NOTICE TO DEFENDANT

1. **MUST APPEAR** - If the offense with which you are charged is a 'MUST APPEAR' offense, you may not waive trial but are required to appear in court when notified. PLEASE NOTE THAT FAILURE TO APPEAR MAY RESULT IN A WARRANT FOR YOUR ARREST.
2. **PRESET FINE** - You must either pay the preset fine, request a waiver hearing, or request a trial date within 30 days after receipt of the citation/summons/warrant.

   NOTE: If charged by citation, follow instructions on the citation. **IF CHARGED BY STATEMENT OF CHARGES (SUMMONS OR WARRANT), CHECK ONE OF THE FOLLOWING OPTIONS, SIGN AND DATE, AND MAIL THIS FORM, ALONG WITH A COPY OF THE STATEMENT OF CHARGES (SUMMONS OR WARRANT) TO THE ADDRESS SHOWN BELOW:**

☐ **OPTION #1:**

Pay the full amount of the preset fine at any District Court of Maryland location, or with a credit card at the Maryland Judiciary Website or by phone (see below) or by mail to the address shown below.

To pay by mail:

- Make your check or money order payable to the District Court of Maryland. Include citation number(s) you wish to pay on check.
- An additional $10 service fee will be imposed for each dishonored check.

☐ **OPTION #2:**

Request a Waiver Hearing: I admit I committed the violation in this Statement of Charges, and I request a waiver hearing to explain the circumstances to a judge. I understand this is not a trial, the officer and witnesses will not be present, and my appearance in court is for sentencing only.

☐ **OPTION #3:**

Request a trial date: I request a trial date for the violation(s) charged.

11/11/16 _____
Date

_____
Signature

District Court Traffic Processing Center
District Court of Maryland
P.O. Box 6676
Annapolis, MD 21401-0676

Please note that payment in full of the preset fine will close the violation and result in the entry of a conviction for the violation(s). Please note further that points will be assessed by Motor Vehicle Administration (MVA) on your driving record after conviction of a violation of the Motor Vehicle Laws of this State. If you fail to comply with one of the above options within 30 days of receipt of a citation/summons/warrant, MVA will be notified and may take actions to suspend your license. Driving on a suspended license is a criminal offense for which you could be incarcerated.

FOR MORE INFORMATION AND TO PAY CITATIONS:

Visit the MD Judiciary Website at www.mdcourts.gov/district or call the Interactive Voice Response (IVR) System for trial dates, court locations, and directions.

From all areas including out-of-state calls: 1-800-492-2656
TTY users call Maryland RELAY: 711

I have read or have had read to me the contents of the above notice and acknowledge receipt of a copy thereof.

_____ _____
Date Defendant

_____ _____
Date Judge/Commissioner

ORDER PETITION TO DISTRICT COURT 11-01

MALLIK, ABE ARJUN V
Criminal

Tr.#161001845524 Tr.#161001845524

MALLIK, ABE ARJUN V
CC No: Local ID:

Tr.#161001845524 Tr.#161001845524

Tracking Number

161001845524

MALLIK, ABE ARJUN V
DC Case No: **2U00088412**
CC No:
Local ID:

MALLIK, ABE ARJUN V

1710 CANAL CLIPPER CT
POINT OF ROCKS, MD 21777

Tracking No: 161001845524
CC No:
Local ID:
DC Case No: **2U00088412**

DOB: 06/24/1961
Sex: M Race: 3
Ht: 6' " Weight: 185
Hair:
Eyes:

Tracking Number

161001845524

MALLIK, ABE ARJUN V
DC Case No: **2U00088412**
CC No:
Local ID:

DC Case No: **2U00088412**
MALLIK, ABE ARJUN V
Criminal Tracking No: 161001845524

MALLIK, ABE ARJUN V
DC Case No: **2U00088412** **Criminal**
Tracking No: 161001845524

Tr.#161001845524 Tr.#161001845524 Tr.#161001845524 Tr.#161001845524 Tr.#161001845524

Tr.#161001845524 Tr.#161001845524 Tr.#161001845524 Tr.#161001845524 Tr.#161001845524

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Tr.#161001845524 Tr.#161001845524 Tr.#161001845524 Tr.#161001845524

DISTRICT COURT CASE NUMBER

DC Case : **2U00088412** DC Case : **2U00088412**

DC Case : **2U00088412**

W163579

STATE OF MARYLAND
VS.

IN THE CIRCUIT COURT
FOR FREDERICK COUNTY
CRIMINAL CASE NO. 10-K-16-059271

Name: **Abe Arjun Malik**

Arrest Tracking Number: 16-1001-84552-4
District Court Number: 2U00088412

Address 1710 Canal Clipper Ct Point Of Rocks, MD 21777

SUMMONS

You are hereby summoned to be and appear in person at the date, time and place specified. You do not have to appear if an attorney enters an appearance for you, in writing, at or before the time stated.

DATE	TIME	COURT LOCATION	EVENT DESCRIPTION
01/27/17	0900AM	100 West Patrick Street	Arraignment/Initial Appearance

If you cannot afford a lawyer and desire to be represented, you should apply to the Office Public Defender, on any weekday between - 8:30 A.M. and 4:30 P.M., at 100 West Patrick Street, Frederick, Maryland 21701- ; Telephone: (301)-694-1988, as soon as possible for a determination of your eligibility to have counsel provided by the Public Defender.

FAILURE TO APPEAR PERSONALLY OR HAVE AN ATTORNEY ENTER AND APPEARANCE, IN WRITING, ON OR BEFORE THE TIME SPECIFIED COULD RESULT IN YOUR BEING ARRESTED.

SERVICE

(_) BY CERTIFIED MAIL
Summons and copy of charging document mailed.

(x) BY SHERIFF
You are hereby commanded to summons the above named defendant and to serve upon the defendant a copy of the charging documents(s) and a copy of this summons.

By request of State's Attorney for Frederick County, Maryland.

Issued this 20th Day of December, 2016.

Sandra K. Dalton
Sandra K. Dalton, Clerk

COURT FOR FREDERICK COUNTY MD. THE CIR

Distribution
Court File
Defendant

SHERIFF'S RETURN (All copies must be completed)

	TIME	DATE	DEPUTY SHERIFF
SERVED	1136	1/4/17	
NON EST (reason)			

( ) Copy of Summons served on defendant
( ) Copy of Charging Document(s) served

FILED
2017 JAN -5 AM 9:14
SANDRA K. DALTON
CLERK

IN THE CIRCUIT COURT FOR FREDERICK COUNTY, MARYLAND

STATE OF MARYLAND,	*	Case No. 10-K-16-059271
	*	
vs.	*	
	*	
	*	
ABE ARJUN MALLIK,	*	
	*	
Defendant.	*	

****

LINE OF ENTRY OF APPEARANCE OF COUNSEL
REQUEST FOR DISCOVERY

Please enter SUN E. CHOI, ESQUIRE and DC METRO LAW, LLC as counsel for the Defendant in the above-captioned case. Pursuant to Maryland Rule 4-263, please provide discovery.

Respectfully submitted

By: SUN E. CHOI, ESQUIRE
DC Metro Law, LLC
7820B Wormans Mill Road, Suite 154
Frederick, Maryland 21701
(202) 630-9529 Office | (301) 500-3135 Fax
schoi@dcmetrolaw.net
Attorney for Defendant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on DECEMBER 27, 2016 a copy of the foregoing Entry of Appearance of Counsel Request for Discovery was mailed first class pre-postage to: Office of the State's Attorney, Joyce R. King, ASA, Circuit Court Division, 100 West Patrick Street, Frederick, Maryland 21701.

Sun E. Choi, Esquire

FILED
2016 DEC 29 AM 9:37
SANDRA K. DALTON
CLERK

240-994-1203

STATE OF MARYLAND	*	CRIMINAL NO. K-16-59271
VS.	*	IN THE CIRCUIT COURT FOR
ABE ARJUN MALLIK	*	FREDERICK COUNTY, MARYLAND

****

STATE'S DISCLOSURE OF EXPERT WITNESSES

The State, by Joyce R. King, Assistant State's Attorney's for Frederick County, Maryland, discloses the following information:

Detective William Elrod, Frederick County Sheriff's Office, Criminal Investigations Division, Digital Forensic Examiner, Computer Crimes Unit as an expert witness:

1. The State intends to call Det. William Elrod, Frederick County Sheriff's Office, Criminal Investigations Division as an expert witness in the forensic examination and data extraction of digital media (including computers and cellular devices) and in the hardware and software used during these investigations. See attached Curriculum Vitae.

2. That Det. Elrod is located at 110 Airport Drive East, Frederick, Maryland 21701.

3. That Det. Elrod will testify that he conducted a forensic examination and data extraction, utilizing the appropriate software (including Oxygen Forensic Suite 2015, Access Data FTK Imager, Access Data Forensic Toolkit Version 5.5.0.44, among others), on the ASUS Computer Tower, which was seized from the above-captioned Defendant's possession pursuant to the Search and Seizure Warrant.

4. That Det. Elrod will further testify that during this forensic examination, he located and extracted the child pornography underlying the criminal charges in this case.

5. That the State has provided Det. Elrod's reports, including his name, agency and the substance of his findings in Discovery. The State is also providing the Defense with the opportunity to inspect the pornographic evidence underlying in the above-captioned case.

Steven O. Gibson, Computer Forensic Analyst (CFA), RAC Frederick, Department of Homeland Security Investigations (HSI) as an expert witness:

FILED

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JOYCE R. KING
ASSISTANT STATE'S ATTORNEY
100 West Patrick Street
Frederick, Maryland 21701
301-600-2573

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10 day of January, 2017, a copy of the foregoing State's Expert Disclosure was mailed, postage paid to Sun E. Choi, Esquire, DC Metro Law, LLC, at 7820B Wormans Mill Road, Suite 154, Frederick, Maryland 21701, Attorney for the Defendant herein.

JOYCE R. KING
ASSISTANT STATE'S ATTORNEY

STATE OF MARYLAND	*	CRIMINAL NO. K-16-59271
VS.	*	IN THE CIRCUIT COURT FOR
ABE ARJUN MALLIK	*	FREDERICK COUNTY, MARYLAND

****

STATE'S DISCLOSURE OF EXPERT WITNESSES

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FILED

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JOYCE R. KING
ASSISTANT STATE'S ATTORNEY
100 West Patrick Street
Frederick, Maryland 21701
301-600-2573

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 16 day of January, 2017, a copy of the foregoing State's Expert Disclosure was mailed, postage paid to Sun E. Choi, Esquire, DC Metro Law, LLC, at 7820B Wormans Mill Road, Suite 154, Frederick, Maryland 21701, Attorney for the Defendant herein.

JOYCE R. KING
ASSISTANT STATE'S ATTORNEY

STATE OF MARYLAND	*	CRIMINAL NO. K-16-59271
VS.	*	IN THE CIRCUIT COURT FOR
ABE ARJUN MALLIK	*	FREDERICK COUNTY, MARYLAND

****

STATE'S DISCLOSURE WITHOUT REQUEST

1. The State has provided to the (Defendant) or (Defense counsel) all items within Maryland Rule 4-263 and objects to any request outside Maryland Rule 4-263. The State further acknowledges its continuing duty to supplement Discovery promptly upon receipt of further discoverable information, pursuant to Maryland Rule of Procedure 4-263 (j).

2. 708 pages attached.

3. Witnesses for the State:

   a. Detective Jayson Snyder, FCSO, 110 Airport Drive East, Frederick, MD 21701
   b. Detective William Elrod, (Expert), FCSO, 110 Airport Drive East, Frederick, MD 21701
   c. Detective Michael Davies, FCSO, 110 Airport Drive East, Frederick, MD 21701
   d. Sgt. Gregory Warner, FCSO, 110 Airport Drive East, Frederick, MD 21701
   e. Steven Gibson, (Expert), Computer Forensic Analyst, RAC Frederick, Department of Homeland Security Investigation, c/o FCSO, 110 Airport Drive East, Frederick, MD 21701

JOYCE R. KING
ASSISTANT STATE'S ATTORNEY
100 West Patrick Street
Frederick, Maryland 21701
301-600-2573

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10 day of January, 2017, a copy of the aforegoing State's Disclosure Without Request was mailed, postage paid to Sun E. Choi, Esquire, DC Metro Law, LLC, at 7820B Wormans Mill Road, Suite 154, Frederick, Maryland 21701, Attorney for the Defendant herein.

FILED
2017 JAN 10 PM 3:44
SANDRA K. DALTON
CLERK mob

JOYCE R. KING
ASSISTANT STATE'S ATTORNEY

STATE OF MARYLAND	*	CRIMINAL NO. K-16-59271
VS.	*	IN THE CIRCUIT COURT FOR
ABE ARJUN MALLIK	*	FREDERICK COUNTY, MARYLAND

****

STATE'S REQUEST FOR DISCOVERY

The State of Maryland, by Joyce R. King, Assistant State's Attorney for Frederick County, Maryland, and requests that the following Discovery be provided by the Defendant, in accordance with Maryland Rule of Procedure 4-263 (e):

Disclosure by Defense:

1. **Defense Witness**
   Please provide the full legal name (first, middle, last and suffix) and, the address of each defense witness other than the Defendant, together with all written statements of each such witness that relate to the subject matter of the testimony of that witness.

2. **Reports and Statements of Experts**
   As to each defense witness the defense intends to call to testify as an expert witness, that the Defendant provide:

   (A) the expert's full legal name (first, middle, last and suffix) and address, the subject matter on which the expert is expected to testify, the substance of the findings and the opinions to which the expert is expected to testify, and a summary of the grounds for each opinion;

   (B) the opportunity to inspect and copy all written reports or statements made in connection with the action by the expert, including the results of any physical or mental examination, scientific test, experiment, or comparison; and

   (C) the substance of any oral report and conclusion by the expert.

3. **Character Witnesses**
   As to each defense witness the defense intends to call to testify as to the Defendant's veracity or other relevant character trait, that the Defendant provide the full legal name (first, middle, last and suffix) and, the address of that witness.

FILED
2017 MAY 17 P 3:04
SANDRA K. DALTON
CLERK mob

4. **Alibi Witnesses**
   If the State's Attorney has designated the time, place, and date of the alleged offense, that the Defendant provide the full legal name (first, middle, last and suffix) and, the address of each person other than the Defendant whom the defense intends to call as a witness to show that the Defendant was not present at the time, place, or date designated by the State's Attorney.

5. **Insanity Defense**
   That the Defendant provide notice of any intention to rely on a defense of not criminally responsible by reason of insanity, the full legal name (first, middle, last and suffix) and, the address of each defense witness other than the Defendant in support of that defense.

6. **Documents, Computer-generated Evidence, and Other Things**
   That the State be provided the opportunity to inspect, copy and photograph any documents, computer-generated evidence as defined in Rule 2-504.3 (a), recordings, photographs, or other tangible things that the defense intends to use at a hearing or at trial.

(f) **Person of the Defendant**

(1) **On Request**

On request of the State's Attorney that includes reasonable notice of the time and place, the Defendant shall appear for the purpose of:

(A) providing fingerprints, photographs, handwriting exemplars, or voice exemplars;

(B) appearing, moving or speaking for identification in a lineup; or

(C) trying on clothing or other articles.

(2) **On Motion**

On Motion filed by the State's Attorney, with reasonable notice to the defense, the court, for good cause shown, shall order the Defendant to appear and (A) permit the taking of buccal samples, samples of other materials of the body, or specimens of blood, urine, saliva, breath, hair, nails, or material under the nails or (B) submit to a reasonable physical or mental examination.

JOYCE R. KING
ASSISTANT STATE'S ATTORNEY
100 West Patrick Street
Frederick, Maryland 21701
301-600-2573

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10 day of January, 2017, a copy of the foregoing State's Request for Discovery was mailed, postage paid to Sun E. Choi, Esquire, DC Metro Law, LLC, at 7820B Wormans Mill Road, Suite 154, Frederick, Maryland 21701, Attorney for the Defendant herein.

JOYCE R. KING
ASSISTANT STATE'S ATTORNEY

STATE OF MARYLAND	*	NO. K-16-59271 CRIMINAL
VS.	*	IN THE CIRCUIT COURT FOR
ABE ARJUN MALLIK	*	FREDERICK COUNTY, MD

* * * * * * * * * * * * *

STATE'S SUPPLEMENTAL DISCLOSURE

The State, by Joyce R. King, Assistant State's Attorney for Frederick County, Maryland, supplements the following information:

1. Supplemental pages 709-712 – Curriculum Vitae of CFA Steven O. Gibson
2. Supplemental pages 713-714 – Resume of Detective Jayson Snyder

Joyce King

JOYCE R. KING
ASSISTANT STATE'S ATTORNEY
100 West Patrick Street
Frederick, Maryland 21701
301- 600-2573

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of January, 2017, a copy of the aforegoing State's Supplemental Disclosure was mailed, postage paid to Sun E. Choi, Esquire, DC Metro Law, LLC, at 7820B Wormans Mill Road, Suite 154, Frederick, Maryland 21701, Attorney for the Defendant herein.

Joyce King

JOYCE R. KING
ASSISTANT STATE'S ATTORNEY

FILED
2017 JAN 20 PM 3:50
SANDRA K. DALTON
CLERK

CIRCUIT COURT FOR FREDERICK COUNTY
Sandra K. Dalton
Clerk of the Circuit Court
100 West Patrick Street
Courthouse
Frederick, MD 21701
(301)-600-1976

C R I M I N A L N O T I C E O F H E A R I N G / T R I A L

Case Number: 10-K-16-059271 IF

Case Title: State of Maryland vs Abe Arjun Mallik

To: FILE COPY

You are hereby notified that this case is scheduled in the:

CIRCUIT COURT FOR FREDERICK COUNTY 100 West Patrick Street Frederick, MD 21701

6-27-17=180d.

PROCEEDING	DATE AND TIME
Pre-Trial Conference	02/13/17 02:00PM Initial
Criminal Jury Trial	03/16/17 09:00AM

PLEASE NOTE: The Defendant and Counsel MUST APPEAR.

Counsel and Defendant shall report at 8:30 am. for jury trial.

All witnesses shall be subpoenaed for 8:30 am. on the date of trial, unless arrangements have been made with the court, in advance, for a witness to appear at another time.

If you, a party represented by you, or a witness to be called on behalf of the party need an accommodation under the Americans with Disabilities Act, please contact the Court.

Assignment Clerk
Assignment Office Phone: 301-600-2988

Date Issued: 01/04/17

CC: Joyce Roldan King Esq 100 W Patrick Street Frederick MD 21701
Sun E Choi Esq 7820 B Wormans Mill Rd. Suite 132 Frederick MD 21701

* cleared w/ Sun Choi, per se

COURTROOM WORKSHEET

No. K-16-592011 Criminal
No. 4 Courtroom
SD/SG Clerk

Date: 2/13/17

Defendant: Abe Mallik

State/Atty Cache for King

Deft/Atty Choi

PTC

646 Judge Solt ____
655 Judge Adams ____
669 Judge Nicklas ____
675 Judge Rolle ✓
679 Judge Sandy ____
___ Judge ____

____ Original Sentencing
____ Violation of Probation
____ Modification/Reduction
____ Plea/Stipulation

____ Nol Pros
____ Stet
____ ~~Advised of Rule 4-215~~
✓ State/Defense Joint Continuance
____ FTA/Bond Forf/~~BW issd/Bond~~ by PCCJ

Trial + PTC, St. to be present, granted.

INCARCERATION:
____ DOC
____ FCADC
____ Suspend All
____ Suspend All But ____
____ Work Release Authorized
____ Delayed Entry Beginning ____
____ Weekend Incarceration Beginning ____
____ Home Detention Authorized through: Sheriff's Department ____
____ Domestically Related Private Agency ____

Count(s) No./Charge: ____
Length of Sentence: ____
Credit from: ____
____ In Addition to Any Time Served
____ Must Serve 50% of Sentence

PTC: 4/3/17 @2pm
AO to set
2 day Trial: RQ @9am
MTS possibly, Δ to advise AO

PROBATION:
____ Supervised ____ Years ____ Months
____ Unsupervised ____ P/P ____ DDMP
____ PBJ-CP 6-220 ____ Supervision Fee Authorized/Waived

SPECIAL CONDITIONS:
____ Submit to all programs recommended
____ Remain Drug Free
____ Remain Alcohol Free
____ Random Testing at Own Expense
____ Alcohol Counseling
____ Drug Counseling
____ Community Service ____ Hours Schedule through: ____ Alt. Sentencing ____ Privately By ____
____ Court Costs $ ____ Pay Through: ____ P/P ____ Clerk By/Within ____
____ Fine(s) $ ____ Pay Through: ____ P/P ____ Clerk By/Within ____
____ MD Substance Abuse Fund $ ____ ____ Clerk
____ No Contact with ____
____ Above/Below Guidelines Due to: ____
____ Other ____

RESTITUTION:
Restitution of $ ____
Victim: ____
____ Pay Direct ____ Pay SAO ____ Pay P&P

When all charges against the defendant are disposed of by acquittal, dismissal, probation before judgment, nolle prosequi, or stet, the defendant may be entitled to expunge the records relating to the charge or charges in accordance with Title 10, Subtitle 1, of the Criminal Procedure Article of the Annotated Code of Maryland.

Revised 7/2016

COURTROOM WORKSHEET

No. K-16-5921 Criminal
4
No. _____ Courtroom
SD/SA Clerk

Date: 2/13/17

Defendant: Abe Mallik

State/Atty Leacne for King

Deft/Atty Choi

PTC

646 Judge Solt ____
655 Judge Adams ____
669 Judge Nicklas ____
675 Judge Rolle ✓
679 Judge Sandy ____
___ Judge _____

____ Original Sentencing
____ Violation of Probation
____ Modification/Reduction
____ Plea/Stipulation

___ Nol Pros
____ Stet
____ Advised of Rule 4-215
✓ State/Defense Joint Continuance
____ FTA/Bond Forf/BW issd/Bond by PCCJ

Trial + PTC, St. to be present, granted

INCARCERATION:
____ DOC
____ FCADC
____ Suspend All
____ Suspend All But _____
____ Work Release Authorized
____ Delayed Entry Beginning _____
____ Weekend Incarceration Beginning _____
____ Home Detention Authorized through: Sheriff's Department _____
____ Domestically Related Private Agency _____

Count(s) No./Charge: _____
Length of Sentence: _____ Credit from: granted
_____ In Addition to Any Time Served
_____ Must Serve 50% of Sentence

PTC: 4/3/17 @ 2pm
AO to set

PROBATION:
____ Supervised ____ Years ____ Months
____ Unsupervised ____ P/P ____ DDMP
____ PBJ-CP 6-220
___ Supervision Fee Authorized/Waived

2 day Trial: $2,000 @ 9am

MTS possibly, A to advise AO

SPECIAL CONDITIONS:
____ Submit to all programs recommended
____ Remain Drug Free
____ Remain Alcohol Free
____ Random Testing at Own Expense
____ Alcohol Counseling
____ Drug Counseling
____ Community Service _____ Hours Schedule through: _____ Alt. Sentencing ___ Privately By _____
____ Court Costs $ _____ Pay Through: ____ P/P ____ Clerk By/Within _____
____ Fine(s) $ _____ Pay Through: ____ P/P ____ Clerk By/Within _____
____ MD Substance Abuse Fund $ _____ ____ Clerk
____ No Contact with _____
____ Above/Below Guidelines Due to: 2 day King Choi
___ Other _____

RESTITUTION:
Restitution of $ _____
Victim: _____
____ Pay Direct ____ Pay SAO ____ Pay P&P

5/30-2/09-2017

When all charges against the defendant are disposed of by acquittal, dismissal, probation before judgment, nolle prosequi, or stet, the defendant may be entitled to expunge the records relating to the charge or charges in accordance with Title 10, Subtitle 1, of the Criminal Procedure Article of the Annotated Code of Maryland.

Revised 7/2016

2/21/17
atty called for copies.
They are sending a
Check for $3.00

3/3/17- haven't rec'd yet
putting file back on shelf

CIRCUIT COURT FOR FREDERICK COUNTY
Sandra K. Dalton
Clerk of the Circuit Court
100 West Patrick Street
Courthouse
Frederick, MD 21701
(301)-600-1976

C R I M I N A L N O T I C E O F H E A R I N G / T R I A L

Case Number: 10-K-16-059271 IF

Case Title: State of Maryland vs Abe Arjun Mallik

To: FILE COPY

You are hereby notified that this case is scheduled in the:

CIRCUIT COURT FOR FREDERICK COUNTY 100 West Patrick Street Frederick, MD 21701

PROCEEDING	DATE AND TIME 6-27-17=180d.
Pre-Trial Conference	04/03/17 02:00PM 2nd:set in court 2/13/17
Criminal Jury Trial	05/30/17 09:00AM :reset from 3/16/17
* Criminal Jury Trial	05/31/17 09:00AM

PLEASE NOTE: The Defendant and Counsel MUST APPEAR.

Counsel and Defendant shall report at 8:30 am. for jury trial.

All witnesses shall be subpoenaed for 8:30 am. on the date of trial, unless arrangements have been made with the court, in advance, for a witness to appear at another time.

If you, a party represented by you, or a witness to be called on behalf of the party need an accommodation under the Americans with Disabilities Act, please contact the Court.

Assignment Clerk
Assignment Office Phone: 301-600-2988

Date Issued: 02/16/17

CC: Joyce Roldan King Esq 100 W Patrick Street Frederick MD 21701
Sun E Choi Esq 7820 B Wormans Mill Rd. Suite 132 Frederick MD 21701
* cleared w/ Sun Choi, per se

COURTROOM WORKSHEET

No. K16-59271 Criminal

No. 6 Courtroom

YB Clerk

Date: 4/3/17

Defendant: Abe Mallik

State/Atty Jackson

Deft/Atty Choi

646 Judge Solt ____
655 Judge Adams ____
669 Judge Nicklas ____
675 Judge Rolle ____
679 Judge Sandy ____
✓ Judge Martz Fisher

____ Original Sentencing
____ Violation of Probation
____ Modification/Reduction
____ Plea/Stipulation

____ Nol Pros
____ Stet
____ Advised of Rule 4-215
✓ State/Defense/Joint Continuance granted T.O.
____ FTA/Bond Forf/BW issd/Bond by PCCJ

Discovery

INCARCERATION:
Count(s) No./Charge: _____
____ DOC
Length of Sentence: _____
Credit from: _____
____ FCADC
____ In Addition to Any Time Served
____ Suspend All
____ Must Serve 50% of Sentence
____ Suspend All But _____
____ Work Release Authorized
____ Delayed Entry Beginning _____
____ Weekend Incarceration Beginning _____
____ Home Detention Authorized through: Sheriff's Department ____
____ Domestically Related Private Agency ____

PTC 5/12/17 2PM

PROBATION:
____ Supervised ____ Years ____ Months
____ Unsupervised ____ P/P ____ DDMP
____ PBJ-CP 6-220 ____ Supervision Fee Authorized/Waived

SPECIAL CONDITIONS:
____ Submit to all programs recommended
____ Remain Drug Free
____ Remain Alcohol Free
____ Random Testing at Own Expense
____ Alcohol Counseling
____ Drug Counseling
____ Community Service ____ Hours Schedule through: ____ Alt. Sentencing ____ Privately By ____
____ Court Costs $ _____ Pay Through: ____ P/P ____ Clerk By/Within _____
____ Fine(s) $ _____ Pay Through: ____ P/P ____ Clerk By/Within _____
____ MD Substance Abuse Fund $ _____ ____ Clerk
____ No Contact with _____
____ Above/Below Guidelines Due to: _____
____ Other _____

RESTITUTION:
Restitution of $ _____
Victim: _____
____ Pay Direct ____ Pay SAO ____ Pay P&P

When all charges against the defendant are disposed of by acquittal, dismissal, probation before judgment, nolle prosequi, or stet, the defendant may be entitled to expunge the records relating to the charge or charges in accordance with Title 10, Subtitle 1, of the Criminal Procedure Article of the Annotated Code of Maryland.

Revised 7/2016

COURTROOM WORKSHEET

No. K16-59271 Criminal

No. 6 Courtroom

Date: 4/3/17

UB Clerk

Defendant: Abe Mallik

State/Atty Jackson

Deft/Atty Choi

646 Judge Solt ____
655 Judge Adams ____
669 Judge Nicklas ____
675 Judge Rolle ____
679 Judge Sandy ____
✓ Judge Martz Fisher

____ Original Sentencing
____ Violation of Probation
____ Modification/Reduction
____ Plea/Stipulation

____ Nol Pros
____ Stet
____ Advised of Rule 4-215
✓ State/Defense/Joint Continuance granted T.D.
____ FTA/Bond Forf/BW issd/Bond by PCCJ

Discovery

INCARCERATION:

Count(s) No./Charge: _____

____ DOC
____ FCADC
____ Suspend All
____ Suspend All But _____
____ Work Release Authorized
____ Delayed Entry Beginning _____
____ Weekend Incarceration Beginning _____
____ Home Detention Authorized through: Sheriff's Department ____
____ Domestically Related Private Agency ____

Length of Sentence: _____ Credit from: _____

____ In Addition to Any Time Served
____ Must Serve 50% of Sentence

PTC 5/12/17 2PM

PROBATION:

____ Supervised ____ Years ____ Months
____ Unsupervised ____ P/P ____ DDMP
____ PBJ-CP 6-220 ____ Supervision Fee Authorized/Waived

3rd

SPECIAL CONDITIONS:

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____ Remain Drug Free
____ *Remain Alcohol Free*
____ Random Testing at Own Expense
____ Alcohol Counseling
____ Drug Counseling
____ Community Service ____ Hours Schedule through: ____ Alt. Sentencing ____ Privately By ____
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Revised 7/2016

STATE OF MARYLAND * CRIMINAL NO. 16-59271

VS. * IN THE CIRCUIT COURT FOR

ABE ARJUN MALLIK * FREDERICK COUNTY, MARYLAND

****

STATE'S SUPPLEMENTAL DISCLOSURE

The State of Maryland, by Joyce R. King, Assistant State's Attorney for Frederick County, Maryland, supplements the following information:

1. Supplemental pages 715-724 (FASTSERV Documents with bus. cert. letter attached);
2. Supplemental pages 725-727 (Google Documents with bus. cert. letter attached);
3. Supplemental pages 728-751 (Microsoft Documents with bus. cert. letter attached);
4. Supplemental pages 752-756 (Comcast Documents with bus. cert. letter attached
5. Supplemental pages 757-761 (HMA Documents with bus. cert. letter attached);
6. Supplemental pages 762-768 (Yahoo Documents with bus. cert. letter attached);
7. Supplemental pages 769-779 (NMEC Tech Report);
8. 1 Disc containing Google Business Records;
9. 1 Disc containing Defendant's Interview with FCSO and photos;
10. 1 Disc containing Yahoo Business Records;

11. Additional Witnesses:
    a. Cpl. Daniel Romeril, FCSO
    b. Dfc. William Rempe, FCSO
    c. Dfc. Gary Marriotti, FCSO
       Frederick County Sheriff's Office
       110 Airport Drive East
       Frederick, MD 21701

    d. John Shehan
       National Center for Missing and Exploited Children
       699 Prince Street
       Alexandria, VA 22

FILED
2017 APR -6 AM 11: 03
SANDRA K. DALTON
CLERK

JOYCE M. KING
ASSISTANT STATE'S ATTORNEY
100 West Patrick Street
Frederick, Maryland 21701
301-600-1523

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5th day of April, 2017, a copy of the foregoing State's Supplemental Disclosure was mailed, postage paid, to Sun E. Choi, Esq., DC Metro Law, LLC, at 7820B Wormans Mill Rd., Suite 154, Frederick, Maryland 21701, Attorney for the Defendant.

JOYCE M. KING
ASSISTANT STATE'S ATTORNEY

STATE OF MARYLAND * CRIMINAL NO. 16-59271

VS. * IN THE CIRCUIT COURT FOR

ABE ARJUN MALLIK * FREDERICK COUNTY, MARYLAND

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       Frederick County Sheriff's Office
       110 Airport Drive East
       Frederick, MD 21701

    d. John Shehan
       National Center for Missing and Exploited Children
       699 Prince Street
       Alexandria, VA 22

FILED
2017 APR -6 AM 11:03
SANDRA K. DALTON
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JOYCE M. KING
ASSISTANT STATE'S ATTORNEY

Frederick County Sheriff's Office

Return of Paper Service

Case: 59,271CR - State Of Maryland .Vs. Mallik

Paper: 2017-001919 - Subpoena To Testify

Issued By: Circuit Court - Thursday, April 06, 2017

Constable: Turner, John

Status: Served - Thursday, April 06, 2017, 10:52 AM

Served To: Warner, Greggory Cpl.
110 Airport Dr E
Frederick, MD 21701

Papers Served: STT - Subpoena To Testify

Comments:

FILED

2017 APR -6 PM 12:06

SANDRA K. BAXTON
CLERK

Charles A. Jenkins
Sheriff, Frederick County, Maryland

Thursday, April 06, 2017

CIRCUIT COURT FOR FREDERICK COUNTY
100 West Patrick St., Frederick, MD 21701
Phone: (301) 600-1976 Maryland Relay call: 711
Toll-free (in Maryland) 800-341-8797

Case No. 16-59271

STATE OF MARYLAND **vs.** **Abe Arjun V Mallik**
DOB: 06/24/1961

TO: Sgt. Gregory Warner
FCSO- 110 Airport Drive East
Frederick, MD 21701

Issue Date: 04/05/2017
Service Deadline: 60 days after Issue Date.

SUBPOENA

You are hereby compelled to appear at a ☑ court proceeding ☐ deposition at the following location:
Circuit Court for Frederick County from May 30, 2017 at 9:00 AM to May 31, 2017
100 West Patrick Street, Frederick, Maryland 21701

☑ To testify in the above case, and/or
☐ To produce the following documents, items, and information, not privileged: _____

☐ To produce, permit inspection and copying of the following documents or other tangible items:

The State's Attorney's Office requested issuance of this subpoena.
Questions should be referred to:
Joyce King
Assistant State's Attorney
301-600-1523

Frederick County Courthouse
100 West Patrick Street, Frederick, MD 21701

Special Message: ****Notice to witness: After 5:00pm the evening before you are scheduled to appear, check the following website: www.frederickcountymd.gov/witnessupdates. If you DO NOT see the name of your case then you MUST appear in Court.**

☐ If this subpoena compels the production of financial information, or information derived from financial records, the requestor of this subpoena hereby certifies having taken all necessary steps to comply with the requirements of Md. Code Ann., Fin. Inst. §1-304 and any other applicable law.

☐ If this subpoena compels the production of medical records, the requestor of this subpoena hereby certifies having taken all necessary steps to comply with the requirements of Md. Code. Ann., Health-Gen. §4-306 and any other applicable law.

Sandra K. Dalton

Sandra K. Dalton, Clerk
Circuit Court for Frederick County

NOTICE:

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4. Serving or attempting to serve a subpoena more than 60 days after the date of issuance is prohibited.

RETURN OF SERVICE

I certify that I delivered the original of this Subpoena to the following person(s): _____ on the following date: _____ by the following method (specified as required by Rule 2-126): _____

_____
Signature

_____
Printed Name

CC-004 (Rev. 07/01/2015)

Frederick County Sheriff's Office

Return of Paper Service

Case: 59,271CR - State Of Maryland .Vs. Mallik

Paper: 2017-001919 - Subpoena To Testify

Issued By: Circuit Court - Thursday, April 06, 2017

Constable: Turner, John

Status: Served - Thursday, April 06, 2017, 10:54 AM

Served To: Romeril, Daniel (Deputy Sheriff)
110 Airport Dr E
Frederick, MD 21701

Papers Served: STT - Subpoena To Testify

Comments:

FILED

2017 APR -6 PM 12:46

SANDRA K. DALTON CLERK

Charles A. Jenkins
Sheriff, Frederick County, Maryland

Thursday, April 06, 2017

CIRCUIT COURT FOR FREDERICK COUNTY
100 West Patrick St., Frederick, MD 21701
Phone: (301) 600-1976 Maryland Relay call: 711
Toll-free (in Maryland) 800-341-8797

Case No. 16-59271

STATE OF MARYLAND **vs.** **Abe Arjun V Mallik**
DOB: 06/24/1961

TO: Cpl. Daniel Romeril
FCSO- 110 Airport Drive East
Frederick, MD 21701

Issue Date: 04/05/2017
Service Deadline: 60 days after Issue Date.

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Signature

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Printed Name

CC-004 (Rev. 07/01/2015)

Frederick County Sheriff's Office

Return of Paper Service

Case: 59,271CR - State Of Maryland .Vs. Mallik

Paper: 2017-001919 - Subpoena To Testify

Issued By: Circuit Court - Thursday, April 06, 2017

Constable: Turner, John

Status: Served - Thursday, April 06, 2017, 10:54 AM

Served To: Mariotti, Gary, Dep
Fred Co Sheriffs Office
Frederick, MD 21701

Papers Served: STT - Subpoena To Testify

Comments:

FILED

2017 APR -6 PM 12:46

SANDRA K. DALTON

CLERK

Charles A. Jenkins

Sheriff, Frederick County, Maryland

Thursday, April 06, 2017

CIRCUIT COURT FOR FREDERICK COUNTY
100 West Patrick St., Frederick, MD 21701
Phone: (301) 600-1976 Maryland Relay call: 711
Toll-free (in Maryland) 800-341-8797

Case No. 16-59271

STATE OF MARYLAND **vs.** **Abe Arjun V Mallik**
DOB: 06/24/1961

TO: Dfc. Gary Mariotti
FCSO- 110 Airport Drive
Frederick, MD 21701

Issue Date: 04/05/2017
Service Deadline: 60 days after Issue Date.

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Circuit Court for Frederick County

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Signature

_____
Printed Name

CC-004 (Rev. 07/01/2015)

Frederick County Sheriff's Office

Return of Paper Service

Case: 59,271CR - State Of Maryland .Vs. Mallik

Paper: 2017-001919 - Subpoena To Testify

Issued By: Circuit Court - Thursday, April 06, 2017

Constable: Turner, John

Status: Served - Thursday, April 06, 2017, 10:52 AM

Served To: Davies, Michael, Dfc

Papers Served: STT - Subpoena To Testify

Comments:

FILED

2017 APR -6 PM 12: 46

SANDRA K. DALTON
CLERK

Charles A. Jenkins

Sheriff, Frederick County, Maryland

Thursday, April 06, 2017

CIRCUIT COURT FOR FREDERICK COUNTY
100 West Patrick St., Frederick, MD 21701
Phone: (301) 600-1976 Maryland Relay call: 711
Toll-free (in Maryland) 800-341-8797

Case No. 16-59271

STATE OF MARYLAND vs. **Abe Arjun V Mallik**
DOB: 06/24/1961

TO: Det. Michael Davies
FCSO- 110 Airport Drive East
Frederick, MD 21701

Issue Date: 04/05/2017
Service Deadline: 60 days after Issue Date.

SUBPOENA

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CC-004 (Rev. 07/01/2015)

Frederick County Sheriff's Office

Return of Paper Service

Case: 59,271CR - State Of Maryland .Vs. Mallik

Paper: 2017-001919 - Subpoena To Testify

Issued By: Circuit Court - Thursday, April 06, 2017

Constable: Turner, John

Status: Served - Thursday, April 06, 2017, 10:53 AM

Served To: Gibson, Steven
110 Airport Dr E
Frederick, MD 21701

Papers Served: STT - Subpoena To Testify

Comments:

FILED

2017 APR -6 PM 12: 46

SANDRA K. DALTON

CLERK

Charles A. Jenkins

Sheriff, Frederick County, Maryland

Thursday, April 06, 2017

CIRCUIT COURT FOR FREDERICK COUNTY
100 West Patrick St., Frederick, MD 21701
Phone: (301) 600-1976 Maryland Relay call: 711
Toll-free (in Maryland) 800-341-8797

Case No. 16-59271

STATE OF MARYLAND **vs.** **Abe Arjun V Mallik**
DOB: 06/24/1961

TO: Steven Gibson, Computer Forensic Analyst
RAC Frederick, Homeland Security
c/o FCSO- 110 Airport Drive East
Frederick, MD 21701

Issue Date: 04/05/2017
Service Deadline: 60 days after Issue Date.

SUBPOENA

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CC-004 (Rev. 07/01/2015)

Frederick County Sheriff's Office

Return of Paper Service

Case: 59,271CR - State Of Maryland .Vs. Mallik

Paper: 2017-001919 - Subpoena To Testify

Issued By: Circuit Court - Thursday, April 06, 2017

Constable: Turner, John

Status: Served - Thursday, April 06, 2017, 10:54 AM

Served To: Rempe, William (Deputy Sheriff)
110 Airport Dr E
Frederick, MD 21701

Papers Served: STT - Subpoena To Testify

Comments:

FILED

2017 APR -6 PM 12: 46

SANDRA K. DALTON
CLERK

Charles A. Jenkins
Sheriff, Frederick County, Maryland

Thursday, April 06, 2017

CIRCUIT COURT FOR FREDERICK COUNTY
100 West Patrick St., Frederick, MD 21701
Phone: (301) 600-1976 Maryland Relay call: 711
Toll-free (in Maryland) 800-341-8797

Case No. 16-59271

STATE OF MARYLAND **vs.** **Abe Arjun V Mallik**
DOB: 06/24/1961

TO: Dfc. William Rempe
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Issue Date: 04/05/2017
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Circuit Court for Frederick County

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CC-004 (Rev. 07/01/2015)

Frederick County Sheriff's Office

Return of Paper Service

Case: 59,271CR - State Of Maryland .Vs. Mallik

Paper: 2017-001919 - Subpoena To Testify

Issued By: Circuit Court - Thursday, April 06, 2017

Constable: Turner, John

Status: Served - Thursday, April 06, 2017, 10:51 AM

Served To: Elrod, William, Dep
Fred Co Sheriffs Office

Papers Served: STT - Subpoena To Testify

Comments:

FILED

2017 APR -6 PM 12: 46

SANDRA K. DALTON
CLERK

Charles A. Jenkins
Sheriff, Frederick County, Maryland

Thursday, April 06, 2017

CIRCUIT COURT FOR FREDERICK COUNTY
100 West Patrick St., Frederick, MD 21701
Phone: (301) 600-1976 Maryland Relay call: 711
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Case No. 16-59271

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TO: Det. William Elrod
FCSO- 110 Airport Drive East
Frederick, MD 21701

Issue Date: 04/05/2017
Service Deadline: 60 days after Issue Date.

SUBPOENA

You are hereby compelled to appear at a ☑ court proceeding ☐ deposition at the following location: Circuit Court for Frederick County from May 30, 2017 at 9:00 AM to May 31, 2017
100 West Patrick Street, Frederick, Maryland 21701

☑ To testify in the above case, and/or
☐ To produce the following documents, items, and information, not privileged: _____

☐ To produce, permit inspection and copying of the following documents or other tangible items:

The State's Attorney's Office requested issuance of this subpoena.
Questions should be referred to:
Joyce King
Assistant State's Attorney
301-600-1523

Frederick County Courthouse
100 West Patrick Street, Frederick, MD 21701

Special Message: ****Notice to witness: After 5:00pm the evening before you are scheduled to appear, check the following website: www.frederickcountymd.gov/witnessupdates. If you DO NOT see the name of your case then you MUST appear in Court.**

☐ If this subpoena compels the production of financial information, or information derived from financial records, the requestor of this subpoena hereby certifies having taken all necessary steps to comply with the requirements of Md. Code Ann., Fin. Inst. §1-304 and any other applicable law.

☐ If this subpoena compels the production of medical records, the requestor of this subpoena hereby certifies having taken all necessary steps to comply with the requirements of Md. Code. Ann., Health-Gen. §4-306 and any other applicable law.

Sandra K. Dalton

Sandra K. Dalton, Clerk
Circuit Court for Frederick County

NOTICE:

1. YOU ARE LIABLE TO BODY ATTACHMENT AND/OR FINE FOR FAILURE TO OBEY THIS SUBPOENA.
2. This subpoena is effective for the date and time stated and any subsequent dates as directed by the court.
3. If this subpoena is for attendance at a deposition and the party served is an organization, notice is hereby given that the organization must designate one or more persons who will testify on its behalf, pursuant to Rule 2-412(d).
4. Serving or attempting to serve a subpoena more than 60 days after the date of issuance is prohibited.

RETURN OF SERVICE

I certify that I delivered the original of this Subpoena to the following person(s): _____ on the following date: _____ by the following method (specified as required by Rule 2-126): _____

_____
Signature

_____
Printed Name

CC-004 (Rev. 07/01/2015)

Frederick County Sheriff's Office

Return of Paper Service

Case: 59,271CR - State Of Maryland .Vs. Mallik

Paper: 2017-001919 - Subpoena To Testify

Issued By: Circuit Court - Thursday, April 06, 2017

Constable: Turner, John

Status: Served - Thursday, April 06, 2017, 10:51 AM

Served To: Snyder, Jayson (Deputy Sheriff)
110 Airport Dr E
Frederick, MD 21701

Papers Served: STT - Subpoena To Testify

Comments:

FILED

2017 APR -6 PM 12:46

SANDRA K. DALTON
CLERK

Charles A. Jenkins
Sheriff, Frederick County, Maryland

Thursday, April 06, 2017

001919

CIRCUIT COURT FOR FREDERICK COUNTY
100 West Patrick St., Frederick, MD 21701
Phone: (301) 600-1976 Maryland Relay call: 711
Toll-free (in Maryland) 800-341-8797

Case No. 16-59271

STATE OF MARYLAND **vs.** **Abe Arjun V Mallik**
DOB: 06/24/1961

TO: Det. Jayson Snyder
FCSO- 110 Airport Drive East
Frederick, MD 21701

Issue Date: 04/05/2017
Service Deadline: 60 days after Issue Date.

SUBPOENA

You are hereby compelled to appear at a ☑ court proceeding ☐ deposition at the following location:
Circuit Court for Frederick County from May 30, 2017 at 9:00 AM to May 31, 2017
100 West Patrick Street, Frederick, Maryland 21701

☑ To testify in the above case, and/or
☐ To produce the following documents, items, and information, not privileged: _____

☐ To produce, permit inspection and copying of the following documents or other tangible items:

The State's Attorney's Office requested issuance of this subpoena.
Questions should be referred to:
Joyce King
Assistant State's Attorney
301-600-1523

Frederick County Courthouse
100 West Patrick Street, Frederick, MD 21701

Special Message: ****Notice to witness: After 5:00pm the evening before you are scheduled to appear, check the following website: www.frederickcountymd.gov/witnessupdates. If you DO NOT see the name of your case then you MUST appear in Court.**

☐ If this subpoena compels the production of financial information, or information derived from financial records, the requestor of this subpoena hereby certifies having taken all necessary steps to comply with the requirements of Md. Code Ann., Fin. Inst. §1-304 and any other applicable law.

☐ If this subpoena compels the production of medical records, the requestor of this subpoena hereby certifies having taken all necessary steps to comply with the requirements of Md. Code. Ann., Health-Gen. §4-306 and any other applicable law.

Sandra K. Dalton

Sandra K. Dalton, Clerk
Circuit Court for Frederick County

NOTICE:

1. YOU ARE LIABLE TO BODY ATTACHMENT AND/OR FINE FOR FAILURE TO OBEY THIS SUBPOENA.
2. This subpoena is effective for the date and time stated and any subsequent dates as directed by the court.
3. If this subpoena is for attendance at a deposition and the party served is an organization, notice is hereby given that the organization must designate one or more persons who will testify on its behalf, pursuant to Rule 2-412(d).
4. Serving or attempting to serve a subpoena more than 60 days after the date of issuance is prohibited.

RETURN OF SERVICE

I certify that I delivered the original of this Subpoena to the following person(s): _____ on the following date: _____ by the following method (specified as required by Rule 2-126): _____

_____
Signature

_____
Printed Name

CC-004 (Rev. 07/01/2015)

STATE OF MARYLAND	:	CRIMINAL NO. 16-059271
VS.	:	IN THE CIRCUIT COURT FOR
ABE ARJUN MALLIK	:	FREDERICK COUNTY, MARYLAND

****

STATE'S MOTION FOR CONTINUANCE

The State of Maryland, by and through Joyce R. King, Assistant State's Attorney for Frederick County, Maryland, hereby requests a continuance in the above-captioned case:

1. The Defendant was charged by Criminal Information with eleven counts of Possession of Child Pornography on December 12, 2016.

2. The assigned Assistant State's Attorney, Joyce King, was on maternity leave starting on January 19, 2017 and returned on April 3, 2017 for the Pre-Trial Conference.

3. The trial date for the above mentioned case is currently scheduled for May 30, 2017.

4. The State received Defendant's Discovery Disclosure Pursuant to Maryland Rule 4-263 and Expert Witness and Witness Notification on April 3, 2017. The Defendant noted Mr. Mark Johnson as an expert in cyber security, vulnerability of accounts and routers, hacking into accounts, firewalls and their vulnerability and remote access of IP addresses.

5. However, the Defense did not provide the expert report of Mr. Johnson, including his findings and opinions until April 25, 2017.

6. The disclosure of this report five weeks before trial is not sufficient considering the technical nature of the case and the subject matter of the experts.

7. Upon reviewing this report, the State is preparing to file a Motion in Limine and requesting a hearing on the admissibility of this expert testimony under Maryland Rule 5-702.

8. Based on the defense expert's conclusion, the State will also be calling an intrusion and cyber security expert from the United States Secret Service who is completing a forensic examination on the defendant's laptop and will provide a written report for the Defense.

FILED
2017 MAY -2 PM
SANDRA K. DALTON
CLERK

9. Furthermore, essential State's witnesses John Shehan, from National Center for Missing & Exploited Children and Cpl. Daniel Romeril of the Frederick Sheriff's Department are unavailable on the current trial date of May 30, 2017.

10. Also, because lead Detective Jayson Snyder will be in a mandatory out-of-state training in the month of June, the State is requesting a postponement past the current Hicks Date of June 27, 2017.

11. Sun Choi, Attorney for the Defendant, objects to this continuance.

WHEREFORE, the State respectfully requests that this case be set for a hearing before the Hon. Judge Solt to find good cause and grant the State's request for continuance of the above-mentioned Trial Date of May 30, 2015.

JOYCE R. KING
ASSISTANT STATE'S ATTORNEY
100 WEST PATRICK STREET
FREDERICK, MARYLAND 21701
301-600-1523

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2 day of May, 2017, a copy of this State's Motion for Continuance was mailed to Sun Choi, Esq., at 7820 B Wormans Mill Road, Suite 154, Frederick, MD 21701, Attorney for the Defendant herein.

JOYCE R. KING
ASSISTANT STATE'S ATTORNEY

STATE OF MARYLAND	:	CRIMINAL NO. 16-059271
VS.	:	IN THE CIRCUIT COURT FOR
ABE ARJUN MALLIK	:	FREDERICK COUNTY, MARYLAND

****

ORDER OF COURT

Upon consideration of the State's Motion for Continuance and a finding of good cause, it is hereupon this _____ day of _____, 2017, by the Circuit Court for Frederick County, Maryland, ORDERED, that the above-mentioned Trial Date of May 30, 2017 be postponed.

Denied
5/3/17

_____
JUDGE

FILED
2017 MAY -8 A 7:33
SANDRA K. DALTON
CLERK_____
BY_____

IN THE CIRCUIT COURT FOR FREDERICK COUNTY, MARYLAND

STATE OF MARYLAND	*	
	*	Case No.: 10-K-16-059271
vs.	*	
	*	
ABE MALLIK,	*	
	*	
Defendant.	*	

****

AFFIDAVIT OF MAILING

The undersigned hereby certifies:

1. That on May 5, 2017, she mailed by Certified Mail, Return Receipt, to Custodian of Records, Human Resources Department, Frederick County Sheriff's Office, 110 Airport Drive, E, Frederick, Maryland 21701, a copy of the Notice of Records Deposition, Notice of Service and Subpoena Duces Tecum in the above-captioned case. Please see Exhibit "A".

2. The undersigned further certifies that she is over the age of 18 years of age and is not a party to this action.

I DO SOLEMNLY DECLARE AND AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE FOREGOING STATEMENTS OF FACT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLWDGE, INFORMATION AND BELIEF.

Ashley M. Boyer

Ashley M. Boyer, Legal Assistant

CERTIFICATE OF SERVICE

FILED
2017 MAY 31 PM 12:12
CLERK'S OFFICE
FREDERICK COUNTY, MD

I HEREBY CERTIFY that on May 26th, 2017 a copy of the foregoing Affidavit of Mailing was mailed first class, pre-postage to:

Office of the State's Attorney
For Frederick County
100 West Patrick Street
Frederick, Maryland 21701

SUN E. CHOI, ESQUIRE

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Custodian of Records
HR Dept.
FCSO
110 Airport Dr. E
Frederick MD 21701

9590 9403 0700 5196 6986 66

2. Article Number (Transfer from service label)

7015 0640 0006 0303 6607

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X C Reese ☐ Agent ☐ Addressee

B. Received by (Printed Name) C Reese C. Date of Delivery 6/5

D. Is delivery address different from item 1? ☑ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery (over $500)
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Return Receipt for Merchandise
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

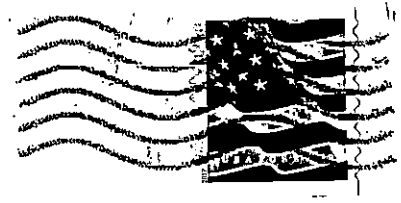
PS Form 3811, April 2015 PSN 7530-02-000-9053 Domestic Return Receipt

Exhibit "A"

DC Metro Law, LLC
7820 B Wormans Mill Road, #154
Frederick, Maryland 21701

BALTIMORE MD 212

27 MAY 2017 PM 4 L



Clerk of the Circuit Court
For Frederick County
Criminal Department
100 West Patrick Street
Frederick, Maryland 21701

21701-557600

IN THE CIRCUIT COURT FOR FREDERICK COUNTY, MARYLAND

STATE OF MARYLAND,	*	Case No. 10-K-16-059271
	*	
vs.	*	
	*	
ABE ARJUN MALLIK,	*	
	*	
Defendant.	*	

****

DEFENDANT'S NOTICE OF SERVICE OF DISCOVERY MATERIAL

DISCOVERY MATERIALS MAILED:

Defendant's Subpoena Duces Tecum, Notice Pursuant to Maryland Rule 2-412(d), and Notice of Records Deposition of:

Custodian of Records
Human Resources Department
Frederick County Sheriff's Office
110 Airport Drive, East
Frederick, Maryland 21704

Respectfully submitted,

DC METRO LAW, L.L.C.

By: _____

SUN E. CHOI, ESQUIRE
7820 B Wormans Mill Road, Suite 154
Frederick, Maryland 21701
(202) 630-9529 (Office)
(301) 500-3135 (Fax)
schoi@dcmetrolaw.net
Attorney for Defendant

FILED
2017 MAY -5 AM 10: 29
ANDREA K. DALTON
CLERK

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on MAY 3, 2017 a copy of the foregoing Notice of Service of Discovery Material **and** the discovery materials described above were served, via first class mail, pre-postage to:

Office of the State's Attorney

For Frederick County

100 West Patrick Street

Frederick, Maryland 21701

Circuit Court Division

SUN E. CHOI, ESQUIRE

IN THE CIRCUIT COURT FOR FREDERICK COUNTY, MARYLAND

STATE OF MARYLAND,	*	Case No. 10-K-16-059271
	*	
vs.	*	
	*	
ABE ARJUN MALLIK,	*	
	*	
Defendant.	*	

****

DEFENDANT'S NOTICE OF SERVICE OF DISCOVERY MATERIAL

DISCOVERY MATERIALS MAILED:

Defendant's Subpoena Duces Tecum, Notice Pursuant to Maryland Rule 2-412(d), and Notice of Records Deposition of:

Custodian of Records
Human Resources Department
Frederick County Sheriff's Office
110 Airport Drive, East
Frederick, Maryland 21704

Respectfully submitted,

DC METRO LAW, L.L.C.

By: _____

SUN E. CHOI, ESQUIRE
7820 B Wormans Mill Road, Suite 154
Frederick, Maryland 21701
(202) 630-9529 (Office)
(301) 500-3135 (Fax)
schoi@dcmetrolaw.net
Attorney for Defendant

FILED
2017 MAY -5 AM 10: 29
[illegible] K. DALTON

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on MAY 3, 2017 a copy of the foregoing Notice of Service of Discovery Material **and** the discovery materials described above were served, via first class mail, pre-postage to:

Office of the State's Attorney

For Frederick County

100 West Patrick Street

Frederick, Maryland 21701

Circuit Court Division

SUN E. CHOI, ESQUIRE

STATE OF MARYLAND * CRIMINAL NO. 16-59271

VS. * IN THE CIRCUIT COURT FOR

ABE ARJUN MALLIK * FREDERICK COUNTY, MARYLAND

****

STATE'S SUPPLEMENTAL DISCLOSURE

The State of Maryland, by Joyce R. King, Assistant State's Attorney for Frederick County, Maryland, supplements the following information:

1. Supplemental pages 780-785 (FCSO Subpoena request, order and certification);

2. 1 Disc containing 2 service calls.

JOYCE M. KING
ASSISTANT STATE'S ATTORNEY
100 West Patrick Street
Frederick, Maryland 21701
301-600-1523

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5 day of May, 2017, a copy of the foregoing State's Supplemental Disclosure was mailed, postage paid, to Sun E. Choi, Esq., DC Metro Law, LLC, at 7820B Wormans Mill Rd., Suite 154, Frederick, Maryland 21701, Attorney for the Defendant.

JOYCE M. KING
ASSISTANT STATE'S ATTORNEY

FILED
2017 MAY -8 AM 11: 03
SANDRA K. DALTON
CLERK

Frederick County Sheriff's Office

Return of Paper Service

Case: 59,271CR - State Of Maryland .Vs. Mallik

Paper: 2017-002479 - Subpoena Duces Tecum

Issued By: Circuit Court - Friday, May 05, 2017

Constable: Chudoba, Justin

Status: Served - Wednesday, May 10, 2017, 10:00 AM

Served To: Custodian Of Records - FCSO
110 Airport Dr E
Frederick, MD 21701

Papers Served: SDT - Subpoena Duces Tecum

Comments: I, DFC Chudoba, served a Subpoena on Melissa Hoffman at FCSO Headquarters, 110 Airport E, Frederick, County MD.

FILED
2017 MAY 10 PM 2:41
SANDRA K. DALTON
CLK

Charles A. Jenkins
Sheriff, Frederick County, Maryland

Wednesday, May 10, 2017

State's Attorneys Office. Frederick, MD

CIRCUIT COURT FOR FREDERICK COUNTY
100 West Patrick Street, Frederick, Maryland 21701
Phone: (301) 600-1976 Maryland Relay call: 711
Toll-free (in Maryland) 800-341-8797

MAY - 5 2017

Case No. 10-K-16-059271 Circuit Court Division

STATE OF MARYLAND
or

_____ vs. Abe Arjun Mallik
Plaintiff Defendant

TO: Frederick County Sheriff's Office
Name
Records Department
Address 1
110 Airport Drive, East
Address 2
Fredereick, Maryland 21704
City, County, State, Zip

Issue Date: 05/01/2017
Service Deadline: 60 days after Issue Date.

SUBPOENA
DUCES TECUM

You are hereby compelled to appear at a ☐ court proceeding ☑ deposition at the following location:

7820 B Wormans Mill Road, #154
Address of court or other location
Frederick, Maryland 21701
City, State, Zip

On June 5, 2017 (Date) at 10:00 (Time) ☑a.m. or ☐p.m.

☐ To testify in the above case, and/or
☐ To produce the following documents, items, and information, not privileged: _____

☑ To produce, permit inspection and copying of the following documents or other tangible items:
Please see attached Notice of Records Deposition.

Defendant requested issuance of this subpoena. Questions should be referred to:
Requested By

Sun E. Choi, Esquire
Name
202-630-9529
Phone

7820 B Wormans Mill Road, #154
Address
Frederick, Maryland 21701
City, State, Zip

Special Message: _____

☐ If this subpoena compels the production of financial information, or information derived from financial records, the requestor of this subpoena hereby certifies having taken all necessary steps to comply with the requirements of Md. Code Ann., Fin. Inst. §1-304 and any other applicable law.

☐ If this subpoena compels the production of medical records, the requestor of this subpoena hereby certifies having taken all necessary steps to comply with the requirements of Md. Code. Ann., Health-Gen.§4-306 and any other applicable law.

Sandra K. Dalton

Sandra K. Dalton, Clerk
Circuit Court for Frederick County

NOTICE:
1. YOU ARE LIABLE TO BODY ATTACHMENT AND/OR FINE FOR FAILURE TO OBEY THIS SUBPOENA.
2. This subpoena is effective for the date and time stated and any subsequent dates as directed by the court.
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RETURN OF SERVICE

I certify that I delivered the original of this Subpoena to the following person(s): _____
on the following date: _____ by the following method (specified as required by Rule 2-126):

_____
Signature

_____
Printed Name

CC-004 (Rev. 07/01/2015)

CIRCUIT COURT FOR FREDERICK COUNTY
Sandra K. Dalton
Clerk of the Circuit Court
100 West Patrick Street
Courthouse
Frederick, MD 21701
(301)-600-1976

C R I M I N A L N O T I C E O F H E A R I N G / T R I A L

Case Number: 10-K-16-059271 IF

Case Title: State of Maryland vs Abe Arjun Mallik

To: FILE COPY

You are hereby notified that this case is scheduled in the:

CIRCUIT COURT FOR FREDERICK COUNTY 100 West Patrick Street Frederick, MD 21701

PROCEEDING	DATE AND TIME 6-27-17=180d.
Pre-Trial Conference	05/12/17 02:00PM 3rd:set in court 4/3/17
Criminal Jury Trial	05/30/17 09:00AM :reset from 3/16/17
Criminal Jury Trial	05/31/17 09:00AM

PLEASE NOTE: The Defendant and Counsel MUST APPEAR.

Counsel and Defendant shall report at 8:30 am. for jury trial.

All witnesses shall be subpoenaed for 8:30 am. on the date of trial, unless arrangements have been made with the court, in advance, for a witness to appear at another time.

If you, a party represented by you, or a witness to be called on behalf of the party need an accommodation under the Americans with Disabilities Act, please contact the Court.

Assignment Clerk
Assignment Office Phone: 301-600-2988

Date Issued: 04/04/17

CC: Joyce Roldan King Esq 100 W Patrick Street Frederick MD 21701
Sun E Choi Esq 7820 B Wormans Mill Rd. Suite 132 Frederick MD 21701

IN THE CIRCUIT COURT FOR FREDERICK COUNTY, MARYLAND

STATE OF MARYLAND,	*	Criminal No. 16-059271
	*	
vs.	*	
	*	
ABE ARJUN MALLIK,	*	
	*	
Defendant.	*	

****

Mot. denied on 5/16/17 Scott

DEFENDANT'S OPPOSITION TO STATE'S MOTION FOR CONTINUANCE

COMES NOW, Defendant, ABE ARJUN MALLIK, by and through his attorneys, SUN E. CHOI, ESQUIRE and DC Metro Law, LLC, and respectfully prays that this Honorable Court deny the State's Motion for Continuance and for reasons states:

1. The State has requested a continuance of the current trial date of May 30, 2017 past the current Hicks Date of June 27, 2017. *See* State's Mot. Continuance ¶¶ 3, 10.

2. That on April 21, 2016, a Search and Seizure Warrant was executed at Defendant's residence concerning this matter.

3. That on May 17, 2016, nearly one year ago, prior to formal charges being filed, Defendant cooperated fully with the investigation and voluntarily provided an interview with Det. William Elrod, the lead detective at the time; Defendant has emphatically maintained throughout the course of the investigation that he was innocent of the allegations, and that his network had been hacked and compromised. *Please see Exhibit A (Excerpt of Interview of Abe Mallik, Dated May 17, 2016, Pages 1, 12-20)*

4. That Defendant brought with him the defective ASUS router to show Det. William Elrod, who refused to take the router as part of the evidence in the investigation.

FILED

2017 MAY 18 A 7:08

SANDRA K. DALTON

CLERK_____

BY_____

FILED IN OPEN COURT

5/12/17

Because the interview was video-taped, it would clearly demonstrate that Defendant made an attempt to offer the defective router to the Det. Elrod.

5. That on October 17 and 24, 2016, the undersigned had to write to the Frederick County Sheriff's Office (hereinafter, "FCSO") with regard to the delay in the investigation. *Please see Exhibit B and C (Letters to Corp. Dan Romeril, Dated October 17 and 24, 2016).*

6. That presumably based on the undersigned letters of October 17 and 24, 2016, on November 2, 2016, charges were filed against the defendant in the district court case, 2U00088412.

7. That on December 20, 2016, a criminal information was filed in the Circuit Court.

8. That the State has unreasonably delayed in charging Defendant.

9. That on April 22, 2016, Defendant was placed on administrative leave by his employer, immediately after being notified by the FCSO of the investigation and that a search and seizure warrant was executed a day earlier. *Please see Exhibit D (FDA Letter to Defendant of Administrative Leave, dated April 22, 2016);* while Defendant's administrative leave began with pay, due to the extensive delay in the case, Defendant is now on leave indefinitely without pay. *Please see Exhibit E (FDA Notice of Indefinite Suspension Without Pay, Dated March 31, 2017).* Not only has Defendant's current job been jeopardized, but his entire career (liberty/livelihood) has been put at stake.

10. Additionally, Defendant has suffered a tremendous financial burden in order to defend himself with regard to the suspension due to this matter. His legal fees totaled $8,606.00. *Please see Exhibit F (Shulman Rogers Billing Statement).* The undersigned had to negotiate a

reduction of the legal fees to $5,000 because Defendant was unable to pay the excessive amount in light of the fact that the indefinite suspension was not reversed.

11. That Defendant's personal life has also been put at stake; his marriage is in jeopardy because of the financial strain, incredible stress, and anxiety this matter has caused; in addition, his relationship with his daughter is significantly harmed because her friends refuse to associate with her because of her father's pending charges.

12. Defendant's reputation in his community and among friends has been irreparably damaged, and he is now shunned due to the publicization of his charges.

13. Every aspect of Defendant's life has been essentially ruined due to this case because of the unfound charges, the delay in investigation, the lack of investigation of Defendant's defense since May 2016 that his network, accounts, and devices were hacked into, and the publicity which this case has garnered, and now the delay in the trial of this matter,.

14. That due to Defendant being disadvantaged by restraints on his liberty and by living under a cloud of anxiety, suspicion, and often hostility, Defendant proactively sought to have a psychosexual risk evaluation completed to demonstrate that he is innocent of the allegations against him. *Please see Exhibit G (Dr. LaFaye Marshall, Summary of Psychosexual Risk Evaluation).*

15. The State claims that disclosure of Defendant's expert report five weeks before trial is "not sufficient considering the technical nature of the case and the subject matter of the experts," but the State has been aware of such "technical nature" and "subject matter" since the commencement of this case twelve (12) months ago. State's Mot. Continuance ¶ 6.

16. Therefore, the State's justification for calling a new expert on intrusion and cyber security at this time is unfounded.

17. That from the very beginning of the investigation, as early as May 17, 2016, Defendant maintained his innocence, and demonstrated that his network, accounts, and devices were hacked; Defendant never strayed from that defense. Further, the undersigned had numerous conversations with Det. William Elrod and the State regarding my client's innocence and the hacking.

18. Three months ago, all parties were made aware of the current trial date of May 30, 2017, but the State provides no reason or excuse as to why its two essential witnesses, John Shehan and Cpl. Daniel Romeril, are declared unavailable on the current trial date. *See* Trial Notice Issued Feb. 16, 2017; State's Mot. Continuance ¶ 9.

19. The State simply states that the new lead Detective Jayson Snyder will be attending a mandatory training in June, but omits the fact that the month-long training is specialized in child pornography cases. *See* State's Mot. Continuance ¶ 10. Furthermore, this is the only basis that the State proffers for requesting a postponement past the current Hicks Date of June 27, 2017, but the training is of no consequence since Detective Snyder is available to attend the current trial date of May 30, 2017.

20. A postponement of the trial date past the Hicks Date without a showing of good cause violates Maryland statutory law. A circuit court trial must be held by the 180-day Hicks Date, unless a party seeking postponement establishes "good cause." *See* Md. R. 4-271(a); Md. Code Ann., Crim. Proc. § 6-103; *State v. Hicks*, 285 Md. 310, 318, 403 A.2d 356 (1979). "[A] determination of what constitutes good cause is dependant upon the facts and circumstances of

each case," *State v. Toney*, 315 Md. 122, 132 (1989), but no reasonable person would find that good cause exists in the present case. Maryland cases in which good cause was found to postpone beyond the Hicks Date demonstrate that the State's inability to bring the case to trial on the scheduled court date must be a consequence of extraordinary circumstances beyond its control, such as the unavailability of the prosecutor due to scheduling conflicts or the delay in obtaining the results of DNA analysis. *See Choate v. State*, 214 Md.App. 118, 140, *cert. denied*, 436 Md. 328 (2013) (good cause upheld where the prosecutor was scheduled for trial in another case on the same day and the State's DNA analyst would be unavailable to testify on the scheduled trial date); *Moody v. State*, 209 Md.App. 366 (2013) (good cause found when the State was seeking DNA evidence held to pertain to conviction or acquittal); *Fields v. State*, 172 Md.App. 496, 522 (2007) (good cause found where co-defendant's attorney was ill, the prosecutor claimed the disappearance of a witness, and the prosecutor had another case beginning the week that the co-defendant's attorney was expected to recuperate); *State v. Toney*, 315 Md. 122, 135 (1989) (good cause finding upheld based upon the unavailability of the prosecutor due to her involvement in other cases).

21. The State has not explained its nearly year-long delay in conducting a forensic examination on Defendant's electronic devices despite Defendant's insistence from the beginning or why it is unable to secure the attendance of its two "essential" witnesses on the current trial date despite being aware of it months in advance. This is not a case involving DNA evidence that requires additional time to be analyzed and necessitates the DNA analyst's availability for trial, nor is the prosecutor claiming overbooked trial schedules, illness, or missing

witnesses. Therefore, the State fails to demonstrate the level of facts and circumstances that would allow the Court to find good cause to postpone the trial date past the Hicks Date.

22. In addition, any further delay in Defendant's case beyond what has already been scheduled violates Defendant's constitutional right to a speedy trial. *See* U.S. Const. Amend. VI; *see also* Md. Decl. of Rts. Art. 21. The balancing test set forth in *Barker v. Wingo* is comprised of four factors: (1) length of delay; (2) the reason for the delay; (3) the defendant's assertion of his right; and (4) prejudice to the defendant. 407 U.S. 514, 530 (1972). Under the first factor, which is also a triggering mechanism, length of delay is measured from the day of indictment or arrest, and a pre-trial delay of one year is considered to be of "constitutional dimension" and "presumptively prejudicial." *Henry v. State*, 204 Md.App. 509, 555 (2012); *see United States v. Loud Hawk*, 474 U.S. 302, 310 (1986). [A delay of less than one year but more than six months may be of "constitutional dimension," depending on the circumstances. *See Epps v. State*, 276 Md. 96, 110 (1975) (constitutional analysis triggered by interval of nine months); *Barnett v. State*, 8 Md.App. 35 (1969) (analysis triggered delay of eight months).] In the present case, charges were filed against Defendant on November 2, 2016, and the resulting 7 month delay is of "constitutional dimension" that is "presumptively prejudicial"/considering the circumstances. With the continuance as requested by the State, the delay in trial will reach past seven months since charges were filed against Defendant.

23. The second *Barker* factor assigns different weights to different reasons for the delay; for example, a deliberate attempt to delay the trial in order to hamper the defense should be weighted heavily against the government, more neutral reasons such as negligence or overcrowded courts should be weighted less heavily but nevertheless considered because they

are ultimately the responsibility of the government, and a missing witness should justify appropriate delay. *Barker*, 407 U.S. at 531. In the present case, the State does not bother providing any reason for the nearly seven-month delay (April 21, 2016 execution of the search and seizure warrant through November 2, 2016, when Defendant was charged) in bringing charges since the beginning of the criminal investigation, and now that the trial date is finally scheduled, the State does not give a valid reason for postponing it. There are no claims of missing witnesses or overcrowding of dockets, so the State's delay in conducting a forensic examination on Defendant's devices, and its request at this time to postpone the trial date to allow lead Detective Snyder to obtain a month-long specialized training in child pornography cases can only be explained as a deliberate attempt to hamper the defense, or at least blatant negligence unacknowledged by the State.

24. Under the third *Barker* factor, the defendant's actions in asserting his speedy trial right "is entitled to strong evidentiary weight in determining whether the defendant is being deprived of the right." *Id.* at 531-32. In the present case, Defendant's counsel asserted defendant's right to a speedy trial by objecting in writing to the delay in the investigation and demanding that the case be dismissed by the FCSO, and thereafter maintains the right by opposing the State's request for continuance.

25. The fourth *Barker* factor, actual prejudice, may result from oppressive pretrial incarceration, anxiety and concern of the accused, and impairment of the defense. *Id.* at 532. "[E]ven if an accused is not incarcerated prior to trial, he is still disadvantaged by restraints on his liberty and by living under a cloud of anxiety, suspicion, and often hostility." *Id.* at 533. In the present case, Defendant is suffering exactly this type of actual prejudice, evidenced by the

fact that his career, family life, and personal life are all under attack. Even without this proof of actual prejudice, the length of delay to resolve this matter at trial serves as a presumption of prejudice.

26. Given that all four of the *Barker* factors are at least minimally weighted in Defendant's favor, Defendant will be denied his constitutional right to a speedy trial if the trial is postponed as the State requests.

WHEREFORE, Defendant respectfully requests that the Honorable Court:

A. Find that the State has not shown good cause;

B. Deny the State's Motion for Continuance; and

C. Grant any other relief that this Honorable Court may deem appropriate.

POINTS AND CITATION OF AUTHORITIES

1. *Maryland Rules of Procedure*, Rule 4-271
2. *Maryland Criminal Procedure,* Article 6-103
3. *State v. Hicks*, 285 Md. 310, 403 A.2d 356 (1979)
4. U.S. Const. Amend. VI
5. Md. Decl. of Rts. Art. 21
6. *Barker v. Wingo*, 407 U.S. 514 (1972)

Respectfully submitted,

DC Metro Law, LLC

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on MAY 12, 2017 a copy of the foregoing Opposition to State's Motion for Continuance was hand-delivered to:

Joyce King, ASA
Office of the State's Attorney For Frederick County
100 West Patrick Street
Frederick, Maryland 21701

Sun E. Choi, Esquire

IN THE CIRCUIT COURT FOR FREDERICK COUNTY, MARYLAND

STATE OF MARYLAND,	*	Criminal No. 16-059271
	*	
vs.	*	
	*	
ABE ARJUN MALLIK,	*	
	*	
Defendant.	*	

****

ORDER

UPON CONSIDERATION of the foregoing Defendant's Opposition to State's Motion for Continuance, and any response thereto, it is this _____ day of _____, 2017, by the Circuit Court for Frederick County, Maryland,

ORDERED, that State's Motion for Continuance be DENIED, and it is further hereby,

SO ORDERED.

_____

JUDGE,
Circuit Court of Frederick County, Maryland

[Audio Begins]

[Non-Essential Discussion 0:00:00-0:08:16]

Detective Elrod: Take a sit.

Atty. Choi: Okay.

Detective Elrod: Okay so, in a building we are recorded entering and exiting we are. There's voice recording too in the building. Just to let you guys hear that. Ms. Choi. Is he been advised of his rights?

Atty. Choi: Yes. I told him that he has the right to remain silent that he's going to have to get his right.

Detective Elrod: I understand. So with that understood, this is just the matter of formality red tape I guess paper work. She will understand. If you like, you could read them or I can just read it to you. I'll read to you really fast. So before we, as in me, ask any questionings, you must understand your rights, you have the right to remain silent and anything you can say can be used against you in a court or law. You have the right to talk to a lawyer for advice before we ask you any questions and it have it with you during questioning. If you cannot afford a lawyer, one will be appointed to you before any questions are ask if you so desire decide to answer any questions without a lawyer present, you still have the right to stop answering at any time. You also have the right to stop answering at any time until you talk to a lawyer. The waiver right portion at the bottom here, I have read the statement of our rights so I've had them read to me and understand what my rights are. I'm willing to make a statement and answer questions. I didn't want a lawyer at this time. I understand and knew what I'm doing. No promises the court has been made to me and no pressure of corrosion of any time had been used against me. If you agreed to

EXHIBIT A

Atty. Choi: Oh it's nothing.

Detective Elrod: Okay so, so network slowdown.

Atty. Choi: They happened to like, spring notes.

Abe: It make some because otherwise...

Detective Elrod: I understand.

Abe: To help me with my thought. So, February 2nd is when I first noticed that the web pages were loading slowly at home and I mean, I didn't do anything about it on February 2nd, I just thought there was just a slowdown on the network or something. And on February 3rd, the web page was still loading slowly and I asked my wife, you know, if she was downloading something and she is actually watching TV, she was not around the computer. So after I talked to her, I went to the router just to see if there were, you know, there's something with the router.

Detective Elrod: Uhm-hmm [Affirmative]

Abe: So I turned it off, turned it back on and the web pages was still slow and I went into the router and started looking around and actually saw a device in there. I wanted to see who was, somebody was sucking in the speed I just didn't know who it was. And I noticed there was a device in there that didn't belong to the family. It was called Living Room and I know all the names. Now we have my daughter's iPad, my, wife's iPad. So that Living Room was an odd name so I looked at that and I went to my wife and I said, did you purchase something like it and when she said "No, what are you talking about?" So I showed her that and I said, "Look at this,

somebody is in our network" and she said "What? What are you talking about?" and I said, you know, "This device doesn't belong to us, it's in here" So she said, "Oh, okay" and then she went back watching TV. So I went there and I try to kick it off the modem and try to kick it off but I couldn't do it. I was trying to really get that device out of my network and I just could not do it. So I turned off the Wifi again and turned it back on and the device came back up again on the network, on home network. So again, on February 3rd, I didn't do anything else about that. February 4th again, the device was still there. I believe it was it and it was at this point I was trying to do research on how to actually get this person out and I couldn't figure it out, figure out how to do that. And what I did was actually reset the whole router...

Detective Elrod: Of course.

Abe: This is on day three...

Detective Elrod: What, you reset it again?

Abe: I hit the reset button but the only thing is hindsight, I was still connected to the internet when I hit the reset button. So I'm thinking the person was in the network already when I hit the reset button so, I don't know what happened.

Detective Elrod: Yeah you said reset, its reset.

Abe: That's not true. Which is why I brought this with me (pointing to the ASUS router in hand) and I'm getting to this in a second.

Detective Elrod: Yeah.

Abe: So, and then I start doing research on how I can actually hide my whole network. You know, how this device is in there and I figured once I kicked him out, you know, just like changing my zip code. You know, changing my address, how do I do that and started doing some research and I found this software on February 9th which is actually a week after the first incident happened. I purchased a software and tried to install it over the router and it wouldn't work. Because obviously the router doesn't have anything to run the program with so I didn't realize that. So I was trying to hide the network, the whole house network and that didn't work.

Detective Elrod: And the device was still there?

Abe: The device was still there. Yeah, unauthorized device was still there and on February 15th, when I checked, the device was gone but the speed came back up but again, I didn't check everyday after that to see if it was in or not.

Detective Elrod: And it was there on the 15th?

Abe: Correct. And on March 26th, I purchased a software called Malwarebytes.

Detective Elrod: Yup.

Abe: And I found 200 potentially unwanted programs on my computer. The thing is I'm the admin at home, my wife and my daughter are both standard users. So standard users that you can't install the program with standard privileges which restricted them from installing anything at all. So only I could install this stuff. so anytime I was logged in, this way. My mother in law came to visit the last of like February, March 21st I think, I'm not actually sure what it's exactly

but her son purchased a new Laptop for her in which she came to it. Now this router died on April 29th, completely died. So died I mean, I couldn't get to the internet. So I called Comcast and told my internet has died. So I called Comcast and they came into my modem and then reset my modem.

Detective Elrod: Of course.

Abe: And the modem was, and they made me plug from the modem into my laptop and I had internet. So I've called tech support for these guys and we hit the reset button a bunch of times and we did a whole bunch of diagnostic test and I have a case number for the Asus tech support, or actually two of them because they moved me later to a higher tier.

Detective Elrod: So what did they say about your router?

Abe: They couldn't figure out.

Detective Elrod: Why, the purchase didn't work?

Abe: Pardon me?

Detective Elrod: Why the product that you had didn't work? They couldn't figure it out.

Abe: Well, I went from tier one to tier two according, they couldn't figure it out and then it was close four hours almost because they got to put me on hold.

Detective Elrod: I know, I've been to Asus also.

Abe: It was just a long process but they couldn't figure it out. So that's why I brought it with me. This is the one with that wouldn't work. So this is the...

Detective Elrod: Its completely dead?

Abe: The dead one. Yeah this is the dead one. So that meaning, it light up, all the lights will come up but from the modem, with the internet connection you should put it in, there is nothing coming out.

Detective Elrod: So maybe there's a cord broken on the back.

Abe: Well, I'll get to that in just a second. So, when the internet died, you know, the modem check your emails and stuff like that. So you know, she's like have nothing to do with my laptop so I said, let me install a game so you can play this game. So I have a CD that I was trying to install on her laptop and the CD wouldn't run. So she logged in about four different times and none of the times and then restart if the CD and the CD wouldn't work. And then I said, "Okay, she had some kind of virus in her computer too". So I put the Malwarebytes on a thumb drive and it rendered on her laptop and I took this screenshot of that.

Detective Elrod: That was better.

Abe: 915 viruses on her laptop.

Detective Elrod: This was on her laptop?

Atty. Choi: That's on his network.

Abe: On my network so the thing is the brand new computer that she had like within her son bought for her right before she came.

Detective Elrod: So did you scan her laptop, not the network? Its just more of a feeding of information that you understand how these things work of course?

Abe: Not thoroughly.

Detective Elrod: Okay, so when you scanned her computer, you scanned her computer, your not scanning the router. You have to monitor the track.

Abe: Right.

Detective Elrod: So is that what this is or?

Abe: This is her laptop.

Detective Elrod: So you have, okay.

Abe: Toward 915...

Detective Elrod: I know, just in terms of, all right, so 915 potentially...

Abe: On the programs.

Detective Elrod: Yeah so it determined whatever they wanted or, yeah.

Abe: Yeah I don't know what they are but I thought that was just a lot of them. Again, she was sent this brand new computer but she puts in my network and...

Atty. Choi: And you had over 200 viruses?

Abe: I had over 200. This was, I had run my scan on March 26th to when I purchased the program so this is on April 29th. So a month and three days later, there's 915 on there. Now, and this is the mall where I purchase on the 26th somewhere within. Yeah. and after all the stuff happened, I started doing some research and I found out that this particular model, the Asus, is the RT-AC66u, its this one, is very easy to hack because it lets people communicate with the Cloud and there's three different the same exact same router. Where apparently the router has a feature where it opens to talk to the Cloud where people can go in through that and its defaulted to do that and I didn't know that.

Detective Elrod: Yeah okay, when you set it up or set the Cloud,

Abe: Right I didn't know. So I mean, this is all after the...

Detective Elrod: The Asus Cloud, I'm familiar with that, this is in terms of.

Abe: Yeah. So apparently through the Could, you can go into the things that's why I had only three articles in here and I purchased the original one in August 2014. So all these articles were in 2015 so there's actually a program in here that this guy actually put down where he can, you can actually control the entire router and go into different PC. So this is the script apparently you have to put into the thing to take control of the router.

Detective Elrod: So if someone wanted to take into all this router, they would use that device?

Abe: That's what I've been viewing the article.

Detective Elrod: You know that script was on?

Abe: I have no idea. The tech support...

Detective Elrod: When you did your examine, did you see this script through when you were looking at your router?

Abe: The tech support reboot this thing like a million times so I don't know if that still stayed.

Detective Elrod: Do you have any of your router logs?

Abe: Well, once you hit the reset button...

Detective Elrod: Yeah it resets things so we will never know.

Abe: Unfortunately not, I don't know and that's why I did all this research after the fact.

Detective Elrod: I mean the law will help in that.

Atty. Choi: Let's talk about now you have to buy a new router.

Abe: Right and then I went to purchase a new router, May 4th I think is when they sent it to me.

Detective Elrod: They should have just given you a new one for free. Does that have a warranty?

Abe: I wish.

Detective Elrod: The warranty lasted two years.

Abe: Exactly.

Detective Elrod: Well, that's exactly what it is, I mean they built it two years. It's going to be two years.

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October 17, 2016

Via Electronic Mail Only DRomeril@frederickcountymd.gov
Corporal Dan Romeril
Frederick County Sheriff's Office
110 Airport Drive East
Frederick, MD 21701

RE: Resolution of Criminal Investigation of Abe-Arjun Mallik

Dear Corp. Romeril:

Please be advised that I represent Mr. Abe Mallik with regard to an investigation of a criminal matter.

The National Center for Missing and Exploited Children (NCMEC) received a Cybertip report that child pornographic images were uploaded on March 3, 2016 from an email account through an IP address allegedly used by Abe-Arjun Mallik. The investigator in charge at the time, Detective William Elrod, having found probable cause for the crimes of possession of child pornography and child pornography, applied for a search and seizure warrant and was issued such warrant on April 8, 2016. Thereafter, Mr. Mallik cooperated readily and fully with the criminal investigation, providing his electronic devices for seizure and complying with Detective Elrod's investigative requests to the best of his ability. However, due to Mr. Mallik being under investigation for alleged criminal activity, Mr. Mallik was placed under administrative leave by his employer, the Food and Drug Administration, on April 22, 2016. Mr. Mallik's employment is in serious jeopardy, and he is dangerously close to losing his livelihood. Mr. Mallik is the sole income earner of his household and due to the fact that he is under criminal investigation, he and his family are placed in serious financial risk, not to mention the social and psychological suffering they are being put through.

It has been over seven (7) months since the alleged criminal acts were made and at least six (6) months since the criminal investigation of Mr. Mallik has been ongoing. However, the last time there was any indication of activity in the criminal investigation was an email from Detective Elrod in early July and there has since been nothing to indicate that the FCSO is doing anything to further the investigation or to establish a continuing need for an investigation to begin with.

EXHIBIT B

This is a clear violation of Mr. Mallik's due process rights, given that (1) this investigative delay is actually prejudicial to Mr. Mallik and that, unless proven otherwise, (2) this delay is being made purposefully to gain a tactical advantage over Mr. Mallik. *Clark v. State*, 774 A.2d 1136, 1156, 364 Md. 611 (Md. 2001). In addition to the lack of investigative activity, it has recently come to our attention that Detective Elrod has retired, but there has been no explanation of the reason for his retirement, and if and what has been done to further the investigation since then. Therefore, it can only be assumed that the FCSO is drawing out the investigation because it has no further leads and plans to put Mr. Mallik at a disadvantage with the passage of time.

The harm to Mr. Mallik's ability to earn a living, family, and reputation by placing him under criminal investigation is irreparable and can only be excused if a continued investigation is absolutely necessary. Please take action as soon as possible to resolve the criminal investigation of Mr. Mallik and terminate it if it is no longer necessary or file an indictment. Please provide a notification of how this investigation will be resolved.

Thank you for your attention to these matters.

Yours very truly,

DC Metro Law, LLC

By:_____

Sun E. Choi, Esq.
202-630-9529 (mobile)
schoi@dcmetrolaw.net

SEC:amb
Cc:\ Abe Mallik (via electronic mail only)

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October 24, 2016

Via Electronic Mail Only DRomeril@frederickcountymd.gov
Corporal Dan Romeril
Frederick County Sheriff's Office
110 Airport Drive East
Frederick, MD 21701

RE: Conclusion of Criminal Investigation of Abe-Arjun Mallik

Dear Cpl. Romeril:

Thank you for your email sent to me on October 19, 2016, in response to the message I sent to you on October 17, 2016 on behalf of Mr. Abe Mallik.

My client and his wife spoke highly of you and your professionalism during the execution of the search warrant on April 21, 2016 by the Frederick County Sheriff's Department (FCSD) and other law enforcement officials. On that day, it appeared that you were guiding or mentoring Det. Elrod, even reminding him of reading my client his rights. At the conclusion of the operation, when my client asked you for a timeline, you apparently gave him a rough timeline, which my client recollects as follows: The investigation could take up to a month if it was fast-tracked, but the most likely scenario would be a duration of two months, and if some unknown issues delay the investigation, it could even take up to three months. You apparently also added that there are more "bad guys" than "good guys" and that you have limited resources at your disposal. My client also recalls that he informed you on that day that his home network was compromised and that he had evidence to that effect; you wisely counseled him to retain an attorney rather than make those statements on his own (without the presence of an attorney).

On May 17, 2016, my client voluntarily met with Det. Elrod at the FCSD. I was present, and we remember that you were in the lobby and was the one who may have notified Det. Elrod of our arrival. On that day, my client brought his compromised networking router and offered that device to Det. Elrod for his examination. My client also provided case numbers that the manufacturer provided after unsuccessfully troubleshooting the device. At the conclusion of the interview on May 17, 2016, my client appealed for a speedy adjudication of the investigation, citing his desire to return to work as soon as possible; in response, Det. Elrod said something to the effect of: what's the hurry, you are getting paid while you stay home anyway!

EXHIBIT C

My client has been thoroughly cooperative throughout this investigation and has even provided Det. Elrod with all the pass codes that he knew of to his seized items. In July 2016, when I asked Det. Elrod for an updated timeline, he said that it could take up to six months from the start of the investigation. October 21, 2016 was that six-month mark.

As you can imagine, this entire process has added undue amounts of stress and agony, not just to my client, but also to his daughter and his wife. There has been a direct impact on three lives, while the FCSD drags out this investigation.

Every day that passes without my client being at work increases the possibility of him being replaced; that, in itself, has caused immeasurable stress and anxiety for my client and his family, which is a single-income household reliant on my client's income-earning capabilities. This is not even considering how simply having been subject to a criminal investigation can have lasting repercussions on my client's career and the social and psychological well-being of my client and his family.

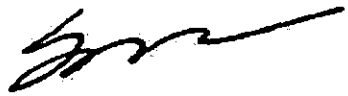
My client may choose to pursue a case against the FCSD for its failures in handling my client's case property and with efficiency. If pursued, my client has no choice but to exercise his right to subpoena Det. Elrod and all concerned to examine the caseload of each detective to determine whether the delay in the investigation and ultimately the transition of the case was intended to punish my client or due to a lack of organizational deficiencies. Whatever the cause, the end result is that my client and his family have been put through extended suffering. This process will also make public the reasons for Det. Elrod's departure from FCSD.

I am confident that a reasonable person would agree with me that my client has been extremely cooperative and that the FCSD dragged out its investigation or lack thereof and that the FCSD has shown a callous disregard for the human element. Given the amount of time that has passed, it would be in the best interests of both the FCSD and my client to conclude this investigation and move on.

Thank you for your attention and I look forward to working with you and Det. Snyder in this matter.

Yours very truly,

DC Metro Law, LLC



By:_____

Sun E. Choi, Esq.
202-630-9529 (mobile)
schoi@dcmetrolaw.net

SEC:amb
Cc:\ Abe Mallik (via electronic mail only)

DEPARTMENT OF HEALTH & HUMAN SERVICES
Food and Drug Administration

Office of Facilities Engineering and Mission Support Services
1451 Rockville Pike
WOC2, 3rd Floor
Rockville, MD 20852
Phone: 301-796-7096
Fax: 301-402-1525

Method of Delivery: Certified Mail/Personal Email

April 22, 2016

Abe-Arjun Mallik
1710 Canal Clipper Court
Point of Rocks, MD 21777

Dear Mr. Mallik:

On April 21, 2016 I was advised by the Office of Internal Affairs that you are under investigation for alleged criminal activity. I have concluded it is not in the Agency's best interest to continue you in an active duty status at this time.

Therefore effective immediately, I am placing you on administrative leave which is a non-duty, paid leave status. While you are on administrative leave, you remain an employee of Food and Drug Administration, Office of Facilities, Engineering and Mission Support Services and you will continue to receive pay and benefits.

Contact Information:
I currently have 1710 Canal Clipper Court, Point of Rocks, MD 21777 as your residence address and 301-591-4130 as your home telephone number, however, if this information changes or is incorrect please provide me with your updated contact information so I can promptly relay information as to any change in your duty status.

Duties / Responsibilities:
During this period of administrative leave, you are officially relieved of your duties without charge to leave or loss of pay. You are not to conduct any official business nor appear at work as you will be denied access to 1451 Rockville Pike 3rd Floor, Rockville, MD 20852. You are not to communicate with colleagues regarding official business by email, phone or other modes of communication; or work on other assigned duties for your position. Failure to comply with this or any other instruction will subject you to disciplinary action based upon failure to follow supervisory instructions.

Duty Status / Availability:
While you are in non-active duty status with pay, you remain an employee of the Agency and continue to receive pay and benefits. You will remain in a non-active duty status with pay until

EXHIBIT D

you receive explicit instructions from me. Accordingly, you must telephone me at 10:00 am every workday, on (301) 412-4152 and speak directly and personally to me so we can discuss any changes in your duty status. If I am not available you must telephone Shellae Jones on (301) 796-1967.

Please note that while you are in a non-active duty status, the Agency may call you to report for duty at any time during your normal workday so you must remain available to the Agency. During absences, such as doctor appointments and other periods where you are unavailable, you must request annual leave, sick leave, or leave without pay for absences. If you are contacted by the agency and requested to report to work or resume official duties, and you are unable to respond and have not requested leave, you will be charged Absent Without Leave (AWOL) for the period of unavailability. The rules for administrative leave can be complex and the same rules are applied to many different types of situations. I recommend you contact Ms. Tarrelle Ingram, Human Resources Specialist (LER), on 240-402-4315, if you have any questions about the procedures or regulations applicable to these requirements.

Return of Government Property

You are required to return ALL government issued property including but not limited to FDA computers, equipment, case files and other related material and your FDA badge. We will contact you to make arrangements accordingly.

Non-Entry into HHS/FDA Facilities:

Finally, during this period of non-active duty status with pay, I am directing you not to appear at any HHS/FDA facility for any reason without explicit and advance permission from me. Building security has been instructed to deny you entry and remove you from the premises if you attempt to enter any HHS/FDA facility without securing the appropriate authorization in advance. Failure to comply with this or any other instruction will subject you to disciplinary action based upon failure to follow supervisory instructions.

James J. Sawyer
Director
Personal Property Management Office

U.S. FOOD & DRUG ADMINISTRATION

Office of Facilities Engineering and Mission Support Services
1451 Rockville Pike
WOC2, 3rd Floor
Rockville, MD 20852
Phone: 301-796-7096
Fax: 301-402-1525
Method of Delivery: Certified Mail/Personal Email

Date: March 31, 2017

Abe Arjun V. Mallik
1700 Canal Clipper Court
Point of Rocks, MD 21777

Dear Mr. Mallik,

The Food and Drug Administration (FDA) has rescinded your previously issued indefinite suspension which was proposed on December 5, 2016. The FDA has decided to reissue a new proposed indefinite suspension effective March 31, 2017 and this letter constitutes the Agency's official notification to you that, in accordance with Subparts C and D of Part 752 of Title 5 of the Code of Federal Regulations and 5 U.S.C. § 7513, I am proposing your suspension from duty, without pay, for an indefinite period of time from your position of Supervisory Property Officer, GS-1101-14, Office of Facilities and Engineering, FDA, Department of Health and Human Services pending:

1) The disposition of the criminal prosecution resulting from the criminal charges filed against you in the District Court for Maryland, Frederick County (Statement of Charges dated November 2, 2016), and the Criminal information subsequently filed the Assistant State's Attorney for the Frederick County, Maryland, Joyce King, in the Circuit Count for Frederick County, Maryland, after your criminal case was transferred from the District Court to the Circuit Court;

2) The outcome of any Agency investigation into your conduct; or

3) The Agency's final determination regarding future disciplinary action, if appropriate, based on the outcome of either number 1) or 2).

I am proposing this action to promote the efficiency of the service

In accordance with 5 USC § 7513(a)(l) your proposed indefinite suspension will be effective no earlier than 30 calendar days from the date you receive this notice. However, during this 30 day period, you are not to report to duty and you will remain in a paid administrative leave status.

EXHIBIT E

This proposed indefinite suspension is based on the following reason:

Charge:

The Agency has reasonable cause to believe that you committed a crime for which a term of imprisonment may be imposed.

Specification:

On November 2, 2016, a Statement of Charges was filed against you in District Court of Maryland for Frederick County, and then after the case transferred to Circuit Court, Criminal Information on the same charges was filed in the Circuit Court for Frederick County, Maryland by the assistant State's Attorney for the Frederick County, Maryland, Joyce King,. See Attached Statement of Charges, Criminal Information, and other related materials relied on.

DISCUSSION:

In proposing this action, I have considered the appropriate factors commonly known as the "Douglas Factors". I have considered the nature and seriousness of the charge and its relationship to your duties. The Charge of "Reasonable cause to believe that you committed a crime for which a term of imprisonment may be imposed" by its very nature disrupts the efficiency of the service. This offense is serious in that it was committed intentionally and repeatedly, rather than being an isolated and/or an unintentional incident. Specifically, I am unable to trust your use of the FDA network to complete your day to day job considering the illegal websites appear to be accessed at least once using the Department of Health and Human services (HHS), Parklawn IP address. Furthermore, this incident diminishes the trust that is needed for someone in a supervisory role because it shows egregious poor judgment.

I considered that the proposed penalty is consistent with the HHS Guide for Disciplinary Penalties which outlines that an Indefinite Suspension (Until the outcome of the legal action is known and/or until the completion of appropriate administrative action) is appropriate for a first offense. I have also considered that this action is a consistent penalty with other employees' penalties for similar offenses.

I considered the notoriety of this offense being as though there was newspaper coverage of your charges which brings a great deal of embarrassment to the Agency.

I considered your years of service with the Food and Drug Administration (FDA) dating from October 4, 2015 until the current time; your absence of a disciplinary record and your satisfactory performance as mitigating factors, however those mitigating factors do not outweigh the severity of the charge. Therefore, this proposed action is reasonable and promotes the efficiency of the service.

The allegations against you are serious and directly undermine the Agency's confidence in your judgment, integrity and trustworthiness, which are critical to your successful performance of the duties of your position. If convicted of all charges, you could face up to fifty-five (55) years of imprisonment and/or a fine.

In light of the seriousness of this situation and until further information is evaluated, it is not in the best interests of the Agency to retain you in an administrative leave or duty status pending the resolution of any administrative investigation or a determination by court or jury on the criminal charges against you.

Given that there is reasonable cause to believe that you have committed a crime of which a sentence of imprisonment can be imposed, it is not in the best interest of the Agency to continue to allow you to remain

efficiency of the service.

RIGHTS:

In accordance with the provisions of 5 U.S.C. 7513(b)(l), you have ten (10) calendar days from the date of receipt of this notice to reply orally, or in writing, or both, to:

Kelvin Lawson, Associate Director
Office of Facilities and Engineering (OFEMS)
301-796-2281]
Kelvin.lawson@fda.hhs.gov

to explain why you should not be indefinitely suspended. You may submit affidavits and other documentary evidence in support of your reply. Before making a decision on this proposal, full consideration will be given to any reply you submit. You must notify Kristan Smith, Labor and Employee Relations Specialist, Workforce Relations Division, Office of Human Resources, at Kristan.smith@fda.hhs.gov by Friday April 7, 2017 if you intend to present an oral reply.

You have the right to be represented in this matter by an attorney or other representative of your choosing. If you choose someone to represent you, the person's name, address; and telephone number must be given to me and to Ms. Smith in writing providing your authorization for your representative to have access to official records personal to you and relevant to this proposed action. A Designation of Representative form is attached.

You are entitled to review the material relied on to support this proposed action. You may contact Ms. Smith to request copies of the materials relied upon. Your authorized representative also may review the supporting material. (Non-Public Information will be appropriately redacted before being released to your representative).

As soon as possible after your reply is received, or after expiration of the thirty (30) calendar day reply period if you do not reply, you will be given a written decision on this proposed action.

If it is the decision of the deciding official that you be indefinitely suspended, your suspension will be effective not less than 30 calendar days from the date you receive this notice and will remain in effect until such time as: (1) the agency has completed its investigation; and/or (2) any criminal charges against you are resolved; and/or, (3) any administrative/adverse action against you is resolved or there is sufficient evidence to return you to duty. You are advised that a failure to prosecute or resolution of the criminal actions in your favor does not prevent the Agency from taking more serious disciplinary action against you, up to and including removal from the Federal service, if there is sufficient evidence for such an action.

In addition, please note that should this proposal result in an indefinite suspension and should an administrative investigation or court proceedings regarding the criminal charges against you so warrant, a removal action may be proposed while you are in an indefinite suspension status.

If you have a medical condition which you wish the Agency to consider before reaching a final decision in this matter, you may raise it in connection with your reply. However, any such claim must be supported by medical documentation which defines the condition and establishes a causal connection between the condition and the above-described misconduct.

DUTY STATUS:

You will remain in a non-active duty paid leave status (Administrative Leave) until such time a decision on the proposed indefinite suspension is issued. As such, while you are in non-active duty status with pay, you remain an employee of the Agency and continue to receive pay and benefits. You will remain in a non-active duty status with pay until you receive explicit instructions from me.

EMPLOYEE ASSISTANCE PROGRAM:

Also, you are reminded that the FDA has resources available to assist employees who may be experiencing personal and work-related difficulties. If you have not already been in contact with a consultant from one or more of these resources, you are encouraged to do so. Consults are free and completely confidential. No information will be released to me or to anyone else without your written consent. Among the resources are: Employee Assistance Program (EAP), which is a free, confidential counseling service that is available to assist you in a variety of situations if you feel that personal issues may be affecting you at work. If you believe the EAP could be of assistance, you are urged to contact them on 1-800-222-0364.

If you have any questions concerning this notice, please contact Kristan Smith, Labor and Employee Relations Specialist, Workforce Relations Division, Office of Human Resources, at Kristan.smith@fda.hhs.gov.

James Sawyer -S

Digitally signed by James Sawyer -S
DN: c=US, o=U.S. Government, ou=HHS, ou=FDA, ou=People, cn=James Sawyer -S, 0.9.2342.19200300.100.1.1=2000091961
Date: 2017.03.31 11:31:12 -04'00'

James Sawyer, Director
FDA Personal Property Management Office

Shulman, Rogers, Gandal, Pordy
& Ecker P.A.
12505 Park Potomac Avenue
6th Floor
Potomac, Maryland 20854
301-230-5200
Fax 301-230-2891
Tax ID No. 52-1008944

Abe Mallik
1710 Canal Clipper Court
Points of Rock, MD 21777

January 20, 2017

Client Number: 128715

Previous Balance since Last Statement **$0.00**

Recap of Open Invoices

Invoice	Date	Amount	Receipts	Adjustments	Balance Due
00002 Proposed Suspension					
98685914	01/20/2017	8,606.00	0.00	0.00	8,606.00
Subtotal:		8,606.00	0.00	0.00	8,606.00

Trust Balance $2,500.00

TOTAL BALANCE DUE **$8,606.00**

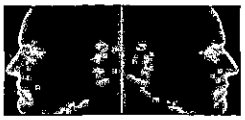
The above may not reflect payments received after January 19, 2017.
PAYMENT OF THIS STATEMENT is due upon receipt. This statement reflects payments received through the statement date. Unless we are given notice to the contrary within thirty days, we shall consider this statement of your account to be correct. If you have a question or problem, please call the Firm's Accounts Receivable Coordinator at (301) 231-0938, for prompt action.

Commencing January 1, 2017, standard billing rates for the attorneys at the Firm will range from $330 to $610 per hour. For the rate of any particular attorney, please contact us.

Please make your check payable to "Shulman, Rogers" and mail to the address above. The Firm now accepts VISA, MASTERCARD and AMERICAN EXPRESS credit cards as payment methods. In order to process a charge account payment, please call for details.

Payment due upon receipt.

EXHIBIT F



Clinical & Forensic Psychologist

Licensed Clinical Psychologist
Certified Sexual Offender Treatment Provider

Dr. LaFaye Marshall, LLC

Phone: 240.481.2723
Fax: 240.524.1303
Email: drlfmarshall@gmail.com
Web: drlfmarshall.com

May 8, 2017

Sun E. Choi, Esq.
DC Metro Law, LLC
7820 B Wormans Mill Road, Suite 154
Frederick, MD 21701

Re: Abe-Arjun V Mallik (DOB: 06/24/1961)—Summary of Psychosexual Risk Evaluation

Dear Sun E. Choi, Esq.:

I am writing to provide you with the results of a psychosexual risk evaluation conducted on Abe-Arjun V Mallik (DOB: 06/24/1961) on July 8, 2016 in my office, located in Annapolis, Maryland. Mr. Mallik was referred for a psychosexual risk evaluation following his 2016 charges of Possession of Child Pornography.

Mr. Mallik presented kempt/groomed. His gait, body coordination, and movements appeared normal. There were no noticeable hearing impairments, and his speech tone, clarity, and volume were within normal limits. Mr. Mallik was fully oriented. He denied any past or current suicidal ideation, homicidal ideation, hopelessness, helplessness, and/or self-injurious behaviors. He neither displayed, nor endorsed, hallucinations or delusions. He displayed a euthymic mood and full affect. Overall, Mr. Mallik was cooperative, respectful, and on-task. He followed my requests without any difficulty, distress, or redirection. As Mr. Mallik actively participated in the evaluation, the results appear to serve as an accurate reflection of his current functioning.

Given the nature of the referral, Mr. Mallik was administered several instruments to assist in estimating his risk of engaging in sexually inappropriate behaviors in the future. It is important to note that risk assessment is a probabilistic assessment based on scientific research, in which selected variables identified to be correlated with future sexual offending are assessed. A number of variables robustly correlated with the risk of reoffending have been consistently documented in the literature. Currently, one of the

EXHIBIT G

Phone: 240.481.2723
Fax: 240.524.1303
Email: drlfmarshall@gmail.com
Web: drlfmarshall.com

most comprehensive approaches to risk assessment involves identifying static (unchangeable, historical), and dynamic (changeable, clinical) factors, which are shown to have a relationship with sexual reoffending. Mr. Mallik was administered the *Wide Range Achievement Test-Fourth Edition (WRAT4),* the *Personality Assessment Inventory (PAI), Sexual History Questionnaire (SHQ),* and *Bumby Cognitive Distortion Scale (Bumby)*. As Mr. Mallik, has only been charged, and not convicted of Child Pornography, applicable psychosexual risk assessment measures are not applicable.

Mr. Mallik performed in the Average range on measures of his literacy and comprehension (*WRAT4).* He appropriately attended to all of the test items, and did not endorse symptomology that were indicative of clinical syndromes *(PAI).* Mr. Mallik identified himself as a heterosexual male, and denied any symptoms indicative of gender dysphoria. He has reportedly been married for years and has a prepubescent daughter. He openly discussed his past and current sexual activities and interests, including sexual partners, masturbation, and pornographic viewing practices. Mr. Mallik responses to those topics were not indicative of deviant sexual arousal, drive, or preoccupation. He also denied symptoms indicative of deviant sexual interests or paraphilic disorders (*SHQ).* Moreover, Mr. Mallik did not endorse any statements that were indicative of deviant sexual thoughts or opinions (*Bumby).* Although standard psychosexual risk assessments measures were not administered, Mr. Mallik does not appear to have key risk factors that have been empirically linked to future sexually inappropriate behaviors. These include, but are not exclusive to, sexual deviation, past convictions for sexual and/or non-sexual crimes, psychopathy, major mental illness, substance use problems, and legal, relationship, or employment problems.

Concomitantly, Mr. Mallik does not display symptoms indicative of antisocial attitudes, and/or law-breaking behaviors. Specifically, there is no evidence to indicate that Mr. Mallik has engaged in chronic antisocial practices such as a persistent disregard for right/wrong, persistent lying, callousness, illegal activities, impulsivity, lack of empathy, aggression towards others, or failure to consider the negative consequences of his behaviors. Moreover, Mr. Mallik has a number of protective factors. Protective factors are internal/external factors that serve to mitigate the likelihood of future sexually inappropriate behaviors. These protective factors include, but are not exclusive to, stable

interpersonal and intimate relationships, stable, long-term employment, and stable finances.

To that end, the data appears to indicate that Mr. Mallik is currently at a **LOW RISK** for engagement in future sexually inappropriate behaviors. It is important to note that the identified risk and protective factors are based on information provided to this evaluator preceding the report date. Any changes to Mr. Mallik's static or dynamic factors, and/or new legal charges, should result in a formal psychosexual re-evaluation.

Thank you for the opportunity to consult on this case. If needed, I can be reached at drlfmarshall@gmail.com or at 240-481-2723.

LaFaye Marshall, Psy.D., CSOTP
Licensed Clinical Psychologist- **MD**#: 05077, **DC**#: PSY1000938, **VA**#:0810005095
Certified Sex Offender Treatment Provider (CSOTP)-**VA** #0812000632
Qualified Expert Witness

COURTROOM WORKSHEET

K.W.

No. 592711 Criminal

No. CR5 Courtroom

KM Clerk

Date: 5/12/17

Defendant: Abe Malik

State/Atty King

Deft/Atty Chop

646 Judge Solt ✓
655 Judge Adams ____
669 Judge Nicklas ____
675 Judge Rolle ____
679 Judge Sandy ____
682 Judge Martz-Fisher ____
___ Judge ____

✓ Pre-Trial Conf.
___ Original Sentencing
___ Violation of Probation
___ Modification/Reduction
___ Plea/Stipulation

___ Nol Pros
___ Stet
___ Advised of Rule 4-215
___ State/Defense/Joint Continuance
___ FTA/Bond Forf/BW issd/Bond by PCCJ

INCARCERATION:

Count(s) No./Charge: ____

___ DOC
___ FCADC
___ Suspend All
___ Suspend All But ____
___ Work Release Authorized
___ Delayed Entry Beginning ____
___ Weekend Incarceration Beginning ____
___ Home Detention Authorized through:
___ Domestically Related

Length of Sentence: ____ Credit from: ____

___ In Addition to Any Time Served
___ Must Serve 50% of Sentence

Sheriff's Department ____
Private Agency ____

MTRS in Morning 5/30/17

PROBATION:

___ Supervised ___ Years ___ Months
___ Unsupervised ___ P/P ___ DDMP
___ PBJ-CP 6-220 ___ Supervision Fee Authorized/Waived

Jurors to arrive @ 1pm.

SPECIAL CONDITIONS:

___ Submit to all programs recommended
___ Remain Drug Free
___ *Remain Alcohol Free*
___ Random Testing at Own Expense
___ Alcohol Counseling
___ Drug Counseling
___ Community Service ____ Hours Schedule through: ____ Alt. Sentencing ____ Privately By ____
___ Court Costs $ ____ Pay Through: ___ P/P ___ Clerk By/Within ____
___ Fine(s) $ ____ Pay Through: ___ P/P ___ Clerk By/Within ____
___ MD Substance Abuse Fund $ ____ ___ Clerk
___ No Contact with ____
___ Above/Below Guidelines Due to: ____
___ Other ____

RESTITUTION:

Restitution of $ ____
Victim: ____
___ *Pay Direct* ___ Pay SAO ___ Pay P&P

When all charges against the defendant are disposed of by acquittal, dismissal, probation before judgment, nolle prosequi, or stet, the defendant may be entitled to expunge the records relating to the charge or charges in accordance with Title 10, Subtitle 1, of the Criminal Procedure Article of the Annotated Code of Maryland.

Revised 4/2017

COURTROOM WORKSHEET

Lenath K.W.

No. 59271 Criminal

No. CR5 Courtroom

KM Clerk

Date: 5/12/17

Defendant: Abe, Malik

State/Atty King

Deft/Atty Chop

646 Judge Solt ✓ — ✓ Pre-Trial Conf.
655 Judge Adams ___ — ___ Original Sentencing — ___ Nol Pros
669 Judge Nicklas ___ — ___ Violation of Probation — ___ Stet
675 Judge Rolle ___ — ___ Modification/Reduction — ___ Advised of Rule 4-215
679 Judge Sandy ___ — ___ Plea/Stipulation — ___ State/Defense/Joint Continuance
682 Judge Martz-Fisher ___ — ___ FTA/Bond Forf/BW issd/Bond by PCCJ
___ Judge ___

INCARCERATION:

Count(s) No./Charge: ___

___ DOC — Length of Sentence: ___ — Credit from: ___
___ FCADC — ___ In Addition to Any Time Served
___ Suspend All — ___ Must Serve 50% of Sentence
___ Suspend All But ___
___ Work Release Authorized
___ Delayed Entry Beginning ___
___ Weekend Incarceration Beginning ___
___ Home Detention Authorized through: Sheriff's Department ___
___ Domestically Related — Private Agency ___

Mtns in Morning 5/30/17

PROBATION:

___ Supervised ___ Years ___ Months
___ Unsupervised ___ P/P ___ DDMP
___ PBJ-CP 6-220 ___ Supervision Fee Authorized/Waived

Jurors to arrive @ 1pm.

SPECIAL CONDITIONS:

___ Submit to all programs recommended
___ Remain Drug Free
___ Remain Alcohol Free
___ Random Testing at Own Expense
___ Alcohol Counseling
___ Drug Counseling
___ Community Service ___ Hours Schedule through: ___ Alt. Sentencing ___ Privately By ___
___ Court Costs $ ___ Pay Through: ___ P/P ___ Clerk By/Within ___
___ Fine(s) $ ___ Pay Through: ___ P/P ___ Clerk By/Within ___
___ MD Substance Abuse Fund $ ___ ___ Clerk
___ No Contact with ___
___ Above/Below Guidelines Due to: ___
___ Other ___

RESTITUTION:

Restitution of $ ___
Victim: ___
___ Pay Direct ___ Pay SAO ___ Pay P&P

copy to Nancy Bell Jenath 5-17-17

When all charges against the defendant are disposed of by acquittal, dismissal, probation before judgment, nolle prosequi, or stet, the defendant may be entitled to expunge the records relating to the charge or charges in accordance with Title 10, Subtitle 1, of the Criminal Procedure Article of the Annotated Code of Maryland.

Revised 4/2017

STATE OF MARYLAND * CRIMINAL NO. 16-59271

VS. * IN THE CIRCUIT COURT FOR

ABE ARJUN MALLIK * FREDERICK COUNTY, MARYLAND

****

STATE'S SUPPLEMENTAL DISCLOSURE

The State of Maryland, by Joyce R. King, Assistant State's Attorney for Frederick County, Maryland, supplements the following information:

1. Supplemental pages 786-791 (Comcast Response Account Notes).

JOYCE R. KING
ASSISTANT STATE'S ATTORNEY
100 West Patrick Street
Frederick, Maryland 21701
301-600-1523

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of May, 2017, a copy of the foregoing State's Supplemental Disclosure was mailed, postage paid, to Sun E. Choi, Esq., DC Metro Law, LLC, at 7820B Wormans Mill Rd., Suite 154, Frederick, Maryland 21701, Attorney for the Defendant.

JOYCE R. KING
ASSISTANT STATE'S ATTORNEY

FILED
2017 MAY 15 PM 3:29
SANDRA K. DALTON
BY: MAB

IN THE CIRCUIT COURT FOR FREDERICK COUNTY, MARYLAND

STATE OF MARYLAND	*	
	*	Case No.: 10-K-16-059271
vs.	*	
	*	
ABE MALLIK,	*	
	*	
Defendant.	*	

****

DEFENDANT'S NOTICE OF SERVICE OF DISCOVERY MATERIAL

DISCOVERY MATERIALS MAILED:

Defendant's Discovery Disclosure Pursuant to Maryland Rule 4-263(e) and Expert Witness and Witness Notification was served to the State, Joyce King, ASA, on April 3, 2017 and April 25, 2017.

Respectfully submitted,

DC Metro Law, L.L.C.

By: _____

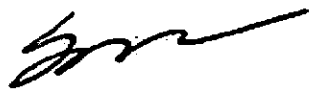
SUN E. CHOI, ESQUIRE
7820 B Wormans Mill Road, Suite 154
Frederick, Maryland 21701
(202) 630-9529 (Office)
(301) 500-3135 (Fax)
schoi@dcmetrolaw.net
Attorney for Defendant

FILED
2017 MAY 16 AM 9:07
PAM BATSON

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on MAY 12, 2017 a copy of the foregoing Notice of Service of Discovery Material and the discovery materials described above were served, via first class mail and electronic mail to:

Joyce King, ASA
The Office of the State's Attorney for Frederick County
Circuit Court Division
100 West Patrick Street
Frederick, Maryland 21701.



SUN E. CHOI, ESQUIRE

STATE OF MARYLAND	*	CRIMINAL NO.16-59271 JTP
VS.	*	IN THE CIRCUIT COURT FOR
ABE ARJUN MALLIK	*	FREDERICK COUNTY, MARYLAND

****

STATE'S SUPPLEMENTAL DISCLOSURE

The State of Maryland, by Joyce R. King, Assistant State's Attorney for Frederick County, Maryland, supplements the following information:

1. Supplemental pages 792-801.

JOYCE R. KING
ASSISTANT STATE'S ATTORNEY
100 West Patrick St.
Frederick, MD 21701
301-600-1523

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17 day of May, 2017 a copy of the aforegoing State's Supplemental Disclosure was mailed, first-class mail, postage prepaid to Sun E. Choi, Esquire, DC Metro Law, LLC, 7820B Worman's Mill Road, Suite 154, Frederick, MD 21701, attorney for the Defendant herein.

JOYCE R. KING
ASSISTANT STATE'S ATTORNEY

FILED
2017 MAY 17 PM 3:26
SANDRA K. DALTON

STATE OF MARYLAND	:	NO. 16-059271 CRIMINAL
VS.	:	IN THE CIRCUIT COURT FOR
ABE ARJUN MALLIK	:	FREDERICK COUNTY, MARYLAND

****

STATE'S MOTION TO AMEND THE CRIMINAL INFORMATION

Comes Now the State of Maryland, by and through, Joyce R. King, Assistant State's Attorney for Frederick County, and respectfully requests that the Criminal Information in the above captioned case be amended as follows:

1. That the date listed on the Criminal Information for Count 9 is incorrect. The State requests that Count 9 on Criminal Information be amended to the correct date, which is on or about April 14, 2016.

2. That the date listed on the Criminal Information for Count 10 is incorrect. The State requests that Count 10 on Criminal Information be amended to the correct date, which is on or about April 12, 2016.

3. That the date listed on the Criminal Information for Count 11 is incorrect. The State requests that Count 11 on Criminal Information be amended to the correct date, which is on or about March 30, 2016

4. Maryland Rule 4-204 provides that the Court, at any time before a verdict, may permit a charging document to be amended provided the amendment does not change the character of the offense charged.

5. This change does not prejudice the Defendant in any way as the Charging Document prior to the amendment contains sufficient information to put the Defendant on notice of the charge against him. Additionally, the amendment does not change the possible penalty for the charge. Changing the date of the offense is considered a matter of form and not substance. *See* Holbrook v. State, 133 Md. App. 245 (2001); Manuel v. State, 85 Md.App. 1 (1990); Albrecht v. State, 105 Md. App. 45 (1995); Thompson v. State, 371 Md. 473 (2002).

WHEREFORE, the State respectfully requests that the above dates on Counts 9, 10, and 11 be amended on the Criminal Information.

FILED
2017 MAY 17 AM 11: 15
SANDRA K. DALTON
BY: _____

JOYCE R. KING
ASSISTANT STATE'S ATTORNEY
100 West Patrick Street, Frederick, Maryland 21701

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17 day of May, 2017, a copy of the State's Motion to Amend the Criminal Information was mailed, postage paid, to Sun Choi, 7820 B Worman Mill Road, Suite 154, Frederick, MD 21701 Attorney for the Defendant herein.

JOYCE R. KING
ASSISTANT STATE'S ATTORNEY

STATE OF MARYLAND	:	NO. 16-059271 CRIMINAL
VS.	:	IN THE CIRCUIT COURT FOR
ABE ARJUN MALLIK	:	FREDERICK COUNTY, MARYLAND

****

ORDER

Upon consideration of the State's Motion to Amend Criminal Information, and any response thereto, it is this _____ day of May, 2017, by the Circuit Court for Frederick County, Maryland,

ORDERED, that

The date in Count 9 on Criminal Information be amended to "on or about April 14, 2016."

The date in Count 10 on Criminal Information be amended to "on or about April 12, 2016."

The Date in Count 11 on Criminal Information be amended to "on or about March 30, 2016."

_____
JUDGE

STATE OF MARYLAND	:	NO. 16-059271 CRIMINAL
VS.	:	IN THE CIRCUIT COURT FOR
ABE ARJUN MALLIK	:	*FREDERICK COUNTY, MARYLAND*

****

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4. Maryland Rule 4-204 provides that the Court, at any time before a verdict, may permit a charging document to be amended provided the amendment does not change the character of the offense charged.

5. This change does not prejudice the Defendant in any way as the Charging Document prior to the amendment contains sufficient information to put the Defendant on notice of the charge against him. Additionally, the amendment does not change the possible penalty for the charge. Changing the date of the offense is considered a matter of form and not substance. *See* Holbrook v. State, 133 Md. App. 245 (2001); Manuel v. State, 85 Md.App. 1 (1990); Albrecht v. State, 105 Md. App. 45 (1995); Thompson v. State, 371 Md. 473 (2002).

WHEREFORE, the State respectfully requests that the above dates on Counts 9, 10, and 11 be amended on the Criminal Information.

FILED
2017 MAY 17 AM 11: 15
SANDRA K. DALTON
CLERK

JOYCE R. KING
ASSISTANT STATE'S ATTORNEY
100 West Patrick Street, Frederick, Maryland 21701

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17 day of May, 2017, a copy of the State's Motion to Amend the Criminal Information was mailed, postage paid, to Sun Choi, 7820 B Worman Mill Road, Suite 154, Frederick, MD 21701 Attorney for the Defendant herein.

JOYCE R. KING
ASSISTANT STATE'S ATTORNEY

STATE OF MARYLAND	:	NO. 16-059271 CRIMINAL
VS.	:	IN THE CIRCUIT COURT FOR
ABE ARJUN MALLIK	:	FREDERICK COUNTY, MARYLAND

****

ORDER

Upon consideration of the State's Motion to Amend Criminal Information, and any response thereto, it is this _____ day of May, 2017, by the Circuit Court for Frederick County, Maryland,

ORDERED, that

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The date in Count 10 on Criminal Information be amended to "on or about April 12, 2016."

The Date in Count 11 on Criminal Information be amended to "on or about March 30, 2016."

_____
JUDGE

STATE OF MARYLAND	*	CRIMINAL NO.16-59271 JTP
VS.	*	IN THE CIRCUIT COURT FOR
ABE ARJUN MALLIK	*	FREDERICK COUNTY, MARYLAND

****

STATE'S SUPPLEMENTAL DISCLOSURE

The State of Maryland, by Joyce R. King, Assistant State's Attorney for Frederick County, Maryland, supplements the following information:

1. Supplemental pages 802-812 (Gibson Supplemental Report);
2. Supplemental pages 813-830 (EnCase Data);
3. Supplemental pages 831-841 (Det. Snyder's completed IP address log);
4. Supplemental pages 842-872 (man.maryland@gmail emails) Set 1
5. Supplemental pages 873-897 (man.maryland@gmail emails) Set 2

JOYCE R. KING
ASSISTANT STATE'S ATTORNEY
100 West Patrick St.
Frederick, MD 21701
301-600-1523

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19 day of May, 2017 a copy of the aforegoing State's Supplemental Disclosure was mailed, first-class mail, postage prepaid to Sun E. Choi, Esquire, DC Metro Law, LLC, 7820B Worman's Mill Road, Suite 154, Frederick, MD 21701, attorney for the Defendant herein.

JOYCE R. KING
ASSISTANT STATE'S ATTORNEY

FILED
2017 MAY 19 PM 3:41
PAMORA K. DALTON

STATE OF MARYLAND	*	CASE NO. 10-K-16-59271
VS.	*	IN THE CIRCUIT COURT FOR
ABE MALLIK	*	FREDERICK COUNTY, MD

* * * * * * * * * * * * *

STATE'S SUPPLEMENTAL DISCLOSURE

The State, by Joyce R. King, Assistant State's Attorney for Frederick County, Maryland, supplements the following information:

1. A copy of discovery documents 898-986.

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(301) 600-2263

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19 day of May, 2017, a copy of the aforegoing State's Supplemental Disclosure was sent via Sharefile, a secure file sharing service, to the designated e-mail address for Sun Choi, Attorney for the Defendant herein.

JOYCE R. KING
ASSISTANT STATE'S ATTORNEY

FILED
2017 MAY 22 AM 11:52
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IN THE CIRCUIT COURT FOR FREDERICK COUNTY, MARYLAND

STATE OF MARYLAND	:	
VS.	:	**NO. 16-059271 CRIMINAL**
ABE ARJUN MALLIK	:	

****

STATE'S MOTION IN LIMINE

The State, by Joyce R. King, Assistant State's Attorney for Frederick County, Maryland, moves in limine to exclude and for an evidentiary hearing outside of the presence of the jury concerning:

1. Evidence in the above captioned matter includes a statement of the Defendant to Cpl. Daniel Romeril; and the Defendant's recorded interview with Det. William Elrod in the presence of his attorney Sun Choi.

2. That the State will NOT be using these statement as proof in their case in chief.

3. That the statements are hearsay and only admissible at trial by the party-opponent. MD Rule 5-803.

WHEREFORE, the State prays that this Honorable Court direct trial counsel to make absolutely no reference to the statement(s) unless and until the State would elect to introduce the statement(s).

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FILED
2017 MAY 24 PM 3:45
...TIA F. DALTON

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24 day of May 2017, a copy of the State's Motion to In Limine was sent via electronic mail and first class mail to was mailed to Sun Choi, 7820 B Worman Mill Road, Suite 154, Frederick, MD 21701 Attorney for the Defendant herein.

JOYCE R. KING

IN THE CIRCUIT COURT FOR FREDERICK COUNTY, MARYLAND

STATE OF MARYLAND	:	
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The State, by Joyce R. King, Assistant State's Attorney for Frederick County, Maryland, moves in limine to exclude and for an evidentiary hearing outside of the presence of the jury concerning:

1. The defense has indicated the intent to use the following documents in trial:
   a) May 7, 2014 EEO Complaint Inquiry Form, 8 Pages.
   b) July 15, 2014 Acceptance of Defendant's EEO Complaint,
   c) February 11, 2016 Emails, Defendant's Complaints Against Supervisor, 8 Pages.
   d) April 22, 2016 FDA Letter to Defendant Regarding Suspension, 2 Pages.
   e) December 5, 2016 FDA Letter to Defendant Regarding Indefinite Suspension, 3 Pages.
   f) January 19, 2017 FDA Letter to Defendant Regarding Indefinite Suspension, 3 Pages.
   g) March 1, 2017 FDA Letter to Defendant Rescinding Indefinite Suspension, 1 Page.
   h) Executed Settlement Agreement with Defendant's Employer, 20 Pages.
   i) October 24, 2014 Affidavit of Abe-Arjun Mallik, 9 Pages.

2. These documents are hearsay and many of the documents are hearsay within hearsay pursuant to Maryland Rule 5-803 and Maryland Rule 5-805

WHEREFORE, the State respectfully requests that the Court grant the State's Motion In Limine to exclude the above mentioned documents and reserves on further argument concerning the Motion.

JOYCE R. KING
ASSISTANT STATE'S ATTORNEY
100 W. Patrick Street
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FILED
2017 MAY 24 PM 3:45
[illegible] DALTON

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JOYCE R. KING

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STATE OF MARYLAND	:	
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[illegible] DALTON

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JOYCE R. KING

IN THE CIRCUIT COURT FOR FREDERICK COUNTY, MARYLAND

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JOYCE R. KING
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2017 MAY 24 PM 3:45
...STA K. BALTCH

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24 day of May 2017, a copy of the State's Motion to In Limine was sent via electronic mail and first class mail to was mailed to Sun Choi, 7820 B Worman Mill Road, Suite 154, Frederick, MD 21701 Attorney for the Defendant herein.

JOYCE R. KING

STATE OF MARYLAND * CRIMINAL NO. 16-59271

VS. * IN THE CIRCUIT COURT FOR

ABE ARJUN MALLIK * FREDERICK COUNTY, MARYLAND

****

STATE'S SUPPLEMENTAL DISCLOSURE AND DISCLOSURE OF EXPERT WITNESS

The State of Maryland, by Joyce R. King, Assistant State's Attorney for Frederick County, Maryland, supplements the following information:

Special Agent Michael Dickson, United States Secret Service, Baltimore Field Office Special Agent, Network Intrusion Response Officer as an expert witness.

1. The State does not intend to call Special Agent Dickson in our case in chief but will only be called as a rebuttal Expert Witness to the Defense Expert, Mark Johnson;

2. Pursuant to Maryland Rule 4–263(b)(4) the state is providing the attached reports generated by Special Agent Dickson:
   a. Supplemental pages 987-1393 (Acer Reports);
   b. Supplemental pages 1394-1820 (Dell Reports);

3. Special Agent Dickson is a Cyber Security and Intrusion expert;

4. Supplemental pages 1821-1825 (ACER HMA Log for DeputyGod); Supplemental Pages 1826-1830 (ACER HMA Log for Mallik)

JOYCE R. KING
ASSISTANT STATE'S ATTORNEY
100 West Patrick Street
Frederick, Maryland 21701
301-600-1523

FILED

2017 MAY 24 PM 3:45

[illegible] R. DALTON
CLERK

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24 day of May, 2017, a copy of the foregoing State's Supplemental Disclosure was mailed, postage paid, to Sun E. Choi, Esq., DC Metro Law, LLC, at 7820B Wormans Mill Rd., Suite 154, Frederick, Maryland 21701, Attorney for the Defendant.

JOYCE R. KING
ASSISTANT STATE'S ATTORNEY

STATE OF MARYLAND * CRIMINAL NO. 16-59271

VS. * *IN THE CIRCUIT COURT FOR*

ABE ARJUN MALLIK * FREDERICK COUNTY, MARYLAND

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2017 MAY 24 PM 3:46

PAMELA K. DALTON

CLERK

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24 day of May, 2017, a copy of the foregoing State's Supplemental Disclosure was mailed, postage paid, to Sun E. Choi, Esq., DC Metro Law, LLC, at 7820B Wormans Mill Rd., Suite 154, Frederick, Maryland 21701, Attorney for the Defendant.

JOYCE R. KING
ASSISTANT STATE'S ATTORNEY

(4)

IN THE CIRCUIT COURT FOR FREDERICK COUNTY, MARYLAND

STATE OF MARYLAND	:	
VS.	:	**NO. 16-059271 CRIMINAL**
ABE ARJUN MALLIK	:	

****

STATE'S MOTION TO EXCLUDE DEFENSE EXPERT TESTIMONY BASED ON FAILURE TO THE CRITERIA SET FORTH IN MARYLAND RULE 5-702

The State of Maryland, by and through Joyce R. King, Assistant State's Attorneys for Frederick County, Maryland, asks this Court to grant the State's Motion to Exclude Defense Expert Testimony Based on Failure to Meet the Criteria Set Forth in Maryland Rule 5-702. In support, the State offers the following:

1. The Defendant was charged by Criminal Information with eleven counts of Possession of Child Pornography on December 12, 2016.

2. The State received Defendant's Discovery Disclosure Pursuant to Maryland Rule 4-263 and Expert Witness and Witness Notification on April 3, 2017. The Defendant noted Mr. Mark Johnson as an expert in cyber security, vulnerability of accounts and routers, hacking into accounts, firewalls and their vulnerability and remote access of IP addresses.

3. The expert report of Mr. Johnson, including his findings and opinions, received on April 25, 2017, does not comport with Maryland Rule 5-702. See Attached.

4. The expert witness opinions must meet the criteria set forth in Maryland Rule 5-702, which states:

> Expert testimony may be admitted, in the form of an opinion or otherwise, if the court determines that the testimony will assist the trier of fact to understand the evidence or to determine a fact in issue. In making that determination, the court shall determine (1) whether the witness is qualified as an expert by knowledge, skill, experience, training or education, (2) the appropriateness of the expert testimony on the particular subject, and (3) whether a sufficient factual basis exists to support the expert testimony.

2017 MAY 25 PM 3:27
CLERK'S OFFICE

5. An expert's opinion testimony must be based on adequate factual basis, proved or assumed. However, it cannot be invoked to supply the substantial facts necessary to support such conclusion. The facts upon which an expert bases his opinion must permit reasonably accurate conclusions as distinguished from mere conjecture, speculation, or incompetent evidence. *See* Easter v. State, 223 Md. App. 65 (2015); Evans v. State, 322 Md. 24 (1991)

6. No matter how highly qualified the expert may be in his field, his opinion has no probative force unless a sufficient factual basis to support a rational conclusion is shown. *See* Stickley v. Critzer, 230 Md. 286 (1962)

7. In this case before us, the facts and reasons advanced by Mark Johnson are insufficient to support his opinion. Mr. Johnson states "I was presented with information about the case and asked to write a report based on the information provided." He then incudes the next subsection of his report entitled, "Case Facts." This section references no data or forensic findings from the electronic devices whatsoever.

8. First, Mr. Johnson can offer no support for any of his findings because he failed to conduct a digital examination of the electronic evidence seized from the Defendant's residence. Moreover, Mr. Johnson did not request to review and therefore could not rely on any of the forensic examination of Forensic Analyst Steven Gibson, which included the examination of the ACER laptop which contained the child pornography.

9. Second, Mr. Johnson recites inaccurate facts under the Section entitled "Hacking Mallik." He states the presence of malware, LogMeIn, TeamViewer, and a Remote Access Trojan. However, the digital examination of all three computers discovered none of the above.

10. The entire basis of Mr. Johnson's opinion rests on "The attack phase consisted of a key logger to copy any usernames and passwords from the computer and store in a file for later retrieval by the hacker." However, there was no evidence of a key logger on any device.

11. Mr. Johnson's expert testimony is being invoked to supply the substantial facts necessary to support his conclusion "that the illegal images present and distributed from Mr. Mallik's computer were copied to his computer and distributed by a hacker hoping to establish a long-term base of operations."

12. For all of the reasons stated above, and for any additional reasons articulated at a hearing on the State's motion, the State asks this Court to exclude certain defense expert testimony because it fails to meet the standards articulated in Maryland Rule 5-702.

13. Alternatively, the State asks this Court to hold an evidentiary hearing, with witness testimony, to determine whether to exclude such testimony.

WHEREFORE, the State asks this Court to grant the State's Motion to Exclude Defense Expert Testimony in the above-captioned case.

Respectfully submitted,

Joyce R. King
Assistance State's Attorney for
Frederick County, Maryland

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25 day of May 2017, a copy of the State's Motion to Exclude Defense Expert Testimony was sent via electronic mail and first class mail to was mailed to Sun Choi, 7820 B Worman Mill Road, Suite 154, Frederick, MD 21701 Attorney for the Defendant herein.

Joyce R. King

IN THE CIRCUIT COURT FOR FREDERICK COUNTY, MARYLAND

STATE OF MARYLAND	:	
VS.	:	**NO. 16-059271 CRIMINAL**
ABE ARJUN MALLIK	:	

****

ORDER

Upon consideration of the State's Motion to Exclude the Defendant's Expert Testimony, the Defendant's Opposition, any additional responses, and any oral argument at any hearing on this matter, it is this ____ day of May 2017, by the Circuit Court for Frederick County, Maryland,

ORDERED, that the State's Motion is GRANTED.

_____
JUDGE OF THE CIRCUIT COURT
FREDERICK COUNTY, MARYLAND

[redacted]

State of Maryland vs. Mallik, Abe Arjun V

Case No 2U00088412

Mark Johnson - CISSP

[redacted]

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Introduction

Reviewer Credentials

I (Mark A. Johnson) am an information security professional with over 20 years' experience, holding an Undergraduate Degree in Information Technology (IT), and a Graduate Degree, Master of Business Administration (MBA) in IT Management. I also hold certifications as a Microsoft Certified Systems Engineer (MCSE), a Global Information Assurance Certification in Security Essentials (GSEC), and am a Certified Information Systems Security Professional (CISSP) through the International Information System Security Certification Consortium $(ISC)^2$. As a CISSP, I am the Corporate Information Security Officer for BroadSoft, Inc.

I was contacted by Sun E. Choi, Esq. Defense Attorney for Abe Arjun V. Mallik in State of Maryland vs. Mallik, Abe Arjun V, Case No. 2U00088412. On April 10th, 2017, I was presented with information about the case and asked to write a report based on the information provided.

Case Facts

03.04.16

- Cybertip 8588030 was reported to NCMEC by Google Inc.
- Email account Man.Maryland@gmail.com uploaded 6 images as an email attachment on 03/03/2016 from IP address 74.115.215.193.
- Google Inc. provided several IP addresses 150.148.14.96, whose service provider is Parklawn Computer Center DIMES HQ Food and Drug Administration, and IP address 76.100.27.72, whose service provider is Comcast Cable Communications.
- IP Address 76.100.27.72 was used to access the email account Man.Maryland@gmail.com, 14 times from 02/025/2016 – 03/02/2016.

04.01.16

- Comcast Cable Communications responded to a court order for subscriber information on IP address 76.100.27.72.
- From 10/05/2015 – 03/24/2016, IP 76.100.27.72 was subscribed to Mr. Abe Mallik, 1710 Canal Clipper Court, Point of Rocks, MD 21777.

04.20.16

- Google Inc. provided information on account Man.Mayland@gmail.com.

- Status: Disabled.
- End of Service Date: 03/03/2016 07:26:06-UTC (03:26:06 EST).
- Created on: 07/26/2010 00:16:48-UTC.
- Terms of Service IP: 69.255.157.183.

04.21.16

- Frederick County Sheriff's Office executed a search and seizure warrant at 1710 Canal Clipper Court, Point of Rocks, MD.
- Multiple digital devices were seized and turned over to Homeland Security Investigations Computer Forensics Analyst Gibson.

05.05.16

- Fast Networks notified Det. William Elrod that IP address 74.115.215.193 was associated with Privax, parent company of Virtual Private Network (VPN), provider Hide My Ass! (HMA).
- Logins to HMA for the month of April were using IP address 76.100.27.72.

06.15.16

- Yahoo! Responded to a court order in reference to email address callme_tim@yahoo.com.
- In the early morning hours of 03.03.16 12 images were emailed to callme_tim@yahoo.com.
- IP addresses used to access this account were 150.148.14.96 and 76.100.27.72.
- These have been associated with Mr. Mallik's employer or residence.
- Email with images sent from Man.Maryland@gmail.com to callme_tim@yahoo.com were sent from IP address 76.100.27.72.

Report

Hacking

What is hacking? Hacking is the process of using a computer gain unauthorized access to a system. Hackers hack systems for fun and to test their coding skills, they hack as part of a collective under Nation State sponsored hacking (country to country), and they hack for profit. Hacking for profit is big business, with global networks of cybercriminals trading in stolen ID's, healthcare records, tax returns, credit card information, etc. Hackers are willing to sell their services for a price with payment made using the untraceable electronic currency "Bitcoin." Hackers will also hack computer systems to use them as a drop location for illegal files to be stored and shared without the system owner's knowledge or consent.

Once a computer has been collected in this fashion, it is added to a collection of other computers, with access to each of these being sold at a later date.

If you own a device that connects to the Internet, it has an address that specifies its location. This address can be found, the system identified, and exploited using any vulnerabilities and flaws that exist within the device. This is true for computers, tablets, and smartphones that access the Internet from behind a company router and firewall, from a home network behind a router/firewall combination, or from the free Wi-Fi at coffee shops.

Anyone who owns anything that connects to the Internet must have systems and processes in place to be able to defend against hacking.

Hacking has specific steps and processes that give the attacker the greatest chance for success:

1. Reconnaissance
    a. Once a target has been identified, reconnaissance techniques involve investigative work to gather as much information on the target as possible. Name, address(es), place of employment, social media posts, email address(es), etc.
2. Access
    a. The predominant method of gaining unauthorized access to a system is through phishing emails, and with a target identified, targeted spear-phishing directed solely at the individual is utilized. The goal is to have the target click a link, or download a file such as a Word, Excel, or PDF document. Once the link is clicked, or the file opened, code is executed establishing a beachhead on the computer. The code is then able to signal to the command and control server that it has established itself and is awaiting further instructions.
    b. Another method of gaining access to the computer network does not rely on the end user, it simply relies on vulnerabilities in system hardware that has yet to be patched by the manufacturer. These vulnerabilities are known as Zero Days, and when discovered are quickly shared between hacker groups to maximize the potential gain access to systems worldwide.
3. Escalation
    a. Computers allow for the use of multiple user accounts, accounts that have elevated administrator privileges allow the user to perform system level changes. With Malware present on the computer the hacker will send commands for it to check and see if it can

execute its commands as an administrator, or if additional instructions need to be sent to elevate itself to an administrator level. With sufficient privileges, additional administrative accounts are created.

4. Persistence
    a. With privilege escalation successful, the hacker now establishes persistence. The initial malware is used to download backdoor tools such as a Remote Access Trojan. The Remote Access Trojan allows the hacker to access the computer day or night without detection from the computer or any installed anti-virus software.
5. Attack
    a. With control of the computer, the hacker proceeds with the primary objective. A key logger is installed to collect any keystrokes typed into the computer. The keylogger will capture anything and everything that is typed into the keyboard, including username and passwords. The attack phase may last years, or hours, depending on the target and the goal of the hack.
6. Obfuscation
    a. The hacker must ensure that if discovered there are no clues that would lead back to them. Computer log files are cleared, and any tools installed for persistence can be remotely erased.

Hacking Mallik

1. Reconnaissance
    a. Mr. Mallik's presence on the Internet is discovered through directly contacting a hacker online and providing an email address, through random phishing emails sent to millions of users, or through Internet scans for vulnerable equipment.
2. Access
    a. Access to Mr. Mallik's computer was gained either through phishing emails or through a vulnerable router/firewall. Asus the manufacturer of Mr. Mallik's ASUS RT – AC66U router had a known vulnerability that would allow a hacker access to the router from outside of the home network[1]. Asus is not alone in this regards, several router/firewall manufacturer's including D-Link and NetGear have also been discovered to have similar vulnerabilities. The Federal Trade Commission filed a complaint against D-Link, alleging that inadequate security left its wireless routers and cameras vulnerable to hackers,

[1] http://www.tomsguide.com/us/asus-rt-router-vulnerability,news-19855.html

putting U.S. consumers' privacy at risk[2].

i. On a network, a router acts as a traffic manager, it directs or "routes" information to the correct location. A firewall prevents unauthorized access into the network, while allowing information from the network to leave for the Internet. For a home computer network, a router/firewall combination device is the default configuration when purchased. A hacker that can control the router settings and configuration will be able to open ports (doorways) that allow them access into the network.

3. Escalation
   a. Mr. Mallik was operating his computer as a user with Administrator privileges, with the default username of Administrator, a practice very common for users of Windows computers. This level of access would make it very easy for a hacker to access the computer and deposit malware onto the system.
4. Persistence
   a. With malware in-place and elevated privileges secured, the next step in the attack process is to ensure persistence, a way to gain access to the system as needed. Remote access typically occurs during the overnight hours to avoid detection.
      i. Following the discovery of malicious behavior on the computer itself, Mr. Mallik purchased Malware Bytes, a commercial Malware Scanner. Malware Bytes was launched and discovered 915 instances of Malware. The process of accessing a computer remotely by a hacker is a similar process to that used by legitimate commercial programs such as LogMeIn, or TeamViewer, as such, a Remote Access Trojan is not is not a virus, but will be identified as an instance of malware.
5. Attack
   a. The attack phase consisted of a key logger to copy any usernames and passwords from the computer and store in a file for later retrieval by the hacker. With access to the computer, and email accounts, the hacker used the storage capacity of the computer to host illegal files and begin the process of sharing these files via email. This method is preferred, as any files discovered in transit would point back to the computer owner, the email address owner, and not to the hacker.

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[2] https://www.ftc.gov/news-events/press-releases/2017/01/ftc-charges-d-link-put-consumers-privacy-risk-due-inadequate

b. It is during the attack phase that the images discovered on Mr. Mallik's computer were dropped from a remote computer by the hacker in preparation for sharing.
    i. Years ago, when FTP sites were popular in business, they were targets in a similar manner. Once compromised, the FTP site was used as a storage location for illegal files to be shared out to anyone with knowledge of the location. If discovered, the files were stored on servers owned by the business.

6. Obfuscation
    a. A hacker only escapes to hack again if they can cover their tracks. A lot of time and effort is expended in hacking a computer, and if discovered it is common for some type of calling card to be left, or somehow try to ruin the computer owner. In this case the information left is the files on the computer, and the 900+ instances of Malware.

Conclusion

- On 02.02.16, Mr. Mallik discovered behavior on his computer that was inconsistent with normal activity (slow loading of web pages).
- On 02.03.16, Mr. Mallik restarted his router and looked to see if there were any indications as to what was causing the slowness, and discovered a device labeled "Living Room". With no such device present in the house, he attempted unsuccessfully to remove it from the network.
- On 02.04.16 Mr. Mallik reset the router to factory settings, however, the unknown device remained on the network.
- 02.09.16, Mr. Mallik subscribed to Virtual Private Network (VPN) service Hide My Ass! (HMA) in the belief that the VPN would protect his router and wireless network. However, this was ineffective, as the intruder was actively within the network via the router, and resident on the computer from which the VPN connection was initiated.
    - In May, 2017, Congress repealed Internet Privacy Laws, allowing service providers such as Xfinity and Verizon the ability to track web surfing habits of customers[3]. Privacy Advocates have since recommended consumers use services such as HMA, and Private Internet Access to keep personal browsing habits secure from business data collection activities.
- 03.26.16, Mr. Mallik purchased Malwarebytes and discovered 915 files identified as malware on his computer.

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[3] http://www.npr.org/sections/alltechconsidered/2017/03/28/521813464/as-congress-repeals-internet-privacy-rules-putting-your-options-in-perspective

- 04.29.16, Mr. Mallik contacted ASUS tech support, Case # N160489996 and N160490174. The issue was escalated through to Tier-3 support without resolution.
- 05.04.16, Mr. Mallik unable to resolve router issues with ASUS purchases a new router.

The culture of hacking is based on bragging rights, this leads to contacts with hacking groups, and inclusion into larger hacks for greater prizes. The commonly used term when discussing hacking a target is "PWN" or "PWNED". If a target has been pwned, it means that you completely own the target and can do whatever you want to them. The widely documented vulnerability in ASUS routers allowed hackers to completely and easily pwn a target by executing their own code on the router, and in doing so gain access to the homeowners network, attack the computers on the network, and the ability to add additional computers to the network. At this stage of the hack, resetting the router to defaults would reload the manufacturer's code, and the hacker's code simultaneously, and for all intent and purposes, the router is completely owned by the hacker.

With access to computers and email accounts using keyloggers and RAT's, the hacker could have easily used this computer for years undetected as a staging and distribution point for illegal files and illegal activity. Mr. Mallik was fortunate to have recognized slowness in Internet activity and taken steps to identify the source, as far too many home computer networks remain poorly secured, are vulnerable to even simplistic hacking attempts, and homeowners lack the skills required to secure their networks or devices.

Multiple electronic devices were collected by the Frederick County Sheriff's Office

- 1 – iPad
- 1 – iPhone
- 3 – Laptop computers
- 1 – Blackberry Phone
- 2 – Digital Camera
- 1 – Digital Camcorder
- 2 – SD digital storage: 2GB and 32GB
- 7 – Computer Hard Drives:4 TB, 2TB, 1.5TB (2), 1TB, unknown (2)
- 3 – USB thumb drives: 4GB, 16GB, 32GB
- 3 – CD's of photos
- 1 – DVD Movie

The illegal images discovered being sent in email were sent from the computer owned by Mr. Mallik,

and discovered on the computer by CFA Gibson. Through investigation of various forms of storage available, these images were not discovered on any other media. Data originates from somewhere, if it were Mr. Mallik's data, the files would be present and recoverable on either the camera's, the SD storage media, the external hard drives, the USB thumb drives, or the CD's of backup photos.

Google Cybertip 8588030 provided IP address 150.148.14.96. This address is the external Point-of-Presence (PoP) for the Food and Drug Administration (FDA), Parklawn, Rockville, and any computer on the FDA network accessing the Internet would have this as its IP address. While the Cybertip provided the IP address for the FDA, Mr. Mallik's place of employment, no images were discovered on Mr. Mallik's work computer.

It is my conclusion that the illegal images present and distributed from Mr. Mallik's computer were copied to his computer and distributed by a hacker hoping to establish a long-term base of operations.

CIRCUIT COURT FOR FREDERICK COUNTY
Sandra K. Dalton
Clerk of the Circuit Court
100 West Patrick Street
Courthouse
Frederick, MD 21701
(301)-600-1976

C R I M I N A L N O T I C E O F H E A R I N G / T R I A L

Case Number: 10-K-16-059271 IF

Case Title: State of Maryland vs Abe Arjun Mallik

To: FILE COPY

You are hereby notified that this case is scheduled in the:

CIRCUIT COURT FOR FREDERICK COUNTY 100 West Patrick Street Frederick, MD 21701

PROCEEDING	DATE AND TIME
Motion to Suppress/Jury Trial	05/30/17 09:00AM MTS in the morning;Jurors to arrive @1p.
Criminal Jury Trial	05/31/17 09:00AM

PLEASE NOTE: The Defendant and Counsel MUST APPEAR.

Counsel and Defendant shall report at 8:30 am. for jury trial.

All witnesses shall be subpoenaed for 8:30 am. on the date of trial, unless arrangements have been made with the court, in advance, for a witness to appear at another time.

If you, a party represented by you, or a witness to be called on behalf of the party need an accommodation under the Americans with Disabilities Act, please contact the Court.

Assignment Clerk
Assignment Office Phone: 301-600-2988

Date Issued: 05/15/17

CC: Joyce Roldan King Esq 100 W Patrick Street Frederick MD 21701
Sun E Choi Esq 7820 B Wormans Mill Rd. Suite 132 Frederick MD 21701

Criminal Courtroom Worksheet (Jury Trial)

Case No. K-16-59271

Courtroom# 4 Clerk: DF-6+JW

Date: 5-30-17, 5-31-17, 6-1-17, 6-2-17

Defendant: Abe Mallik

State's Attorney: King

Defense Attorney: Choi

646 Judge Solt _____
655 Judge Adams _____
669 Judge Nicklas _____

Judge Rolle ✓ - verdict
Judge Sandy _____
Judge Galloway ✓

Defendant enters plea of "Not Guilty" and elects Jury Trial _____ Defendant arraigned in open Court of the charges? _____

Motions In Limine? Please list:

State - Exclude Def. Interview - Moot
Def - Excludes letters & EMails - Reserve
Def - Exclude Documents & Relating Testimony - Reserve

Voir Dire held: 5-30-17 ✓

Jury Empaneled and Sworn: 5-30-17 - ✓

Trial begins with State's Case: 5-30-17 - ✓

At close of State's Case, Def's Motion for JOA is: 6-1-17 @ Bench Denied

Defense Motion for Mistrial: Denied 6-1-17

State Rests and Defense case begins: 5-31-17

Defendant advised of his right to testify: 6-1-17

6-1-17

At close of entire case, Defendant's Renewed Motion for JOA is: Denied @ Bench

Jury Instructions given to Jury by Court: 6-1-17

Any Jury notes received? 2

Jury Verdict:

Guilty as to counts 1-11.

If case proceeds to sentencing, please complete a regular courtroom worksheet.

Sentencing set for: 8-3-17 @ 9am PSI Ordered: 6-2-17 w/ Psychosexual

Bond revoked pending sentencing? Granted @ 6-2-17

Placed on Pre-Sentence supervision? Conditions?

* Judge Granted states request to seal images of children in the exhibits.

CIRCUIT COURT OF FREDERICK COUNTY, MARYLAND

STATE OF MARYLAND

VS.

Abe Mallik
DEFENDANT

K-16-59271
CASE NUMBER

16-1001-84552-4
State Tracking Number

2400088412
District Court Number
or MVA Citation Number

COMMITMENT

TO: Warden, Frederick County Adult Detention Center
7300 Marcie's Choice Lane
Frederick, Maryland 21704

YOU ARE HEREBY COMMANDED to receive from any officer the body of the above-named defendant who is charged with the offense(s) of Possession of Child Pornography

☐ Bail review was held by Judge _____

and defendant is committed on _____

bail (_____ % acceptable).

☐ Bond reinstated if agreeable with Bondsman. Written letter from Bondsman must be presented.

☒ Bond Revoked Pending Sentencing on 8-3-17 @ 9am

☐ Final Commitment Record to follow.

6-2-17
Date

Sandra K [illegible]
Clerk

JRW
Courtroom Clerk

Revised 12/12

Criminal Courtroom Worksheet (Jury Trial)

Case No. K-16-59271

Courtroom# 4 Clerk: Deb Jw

Date: 5-30-17

Defendant: Abe Mallik

State's Attorney: King

Defense Attorney: Choi

646 Judge Solt _____
655 Judge Adams _____
669 Judge Nicklas _____

Judge Rolle ✓ - verdict
Judge Sandy _____
Judge Galloway ✓

Defendant enters plea of "Not Guilty" and elects Jury Trial _____ Defendant arraigned in open Court of the charges? _____

Motions In Limine? Please list:

State - Exclude Def. Interview - Moot
Def - Excludes Letters & Emails - Reserve
Def - Exclude Documents Relating Testimony - Reserve

Voir Dire held: 5-30-17 ✓

Jury Empaneled and Sworn: 5-30-17 - ✓

Trial begins with State's Case: 5-30-17 - ✓

At close of State's Case, Def's Motion for JOA is: 6-1-17 @ Bench Denied

Defense Motion for Mistrial: Denied 6-1-17

State Rests and Defense case begins: 5-31-17

Defendant advised of his right to testify: 6-1-17

At close of entire case, Defendant's Renewed Motion for JOA is: Denied @ Bench 6-1-17

Jury Instructions given to Jury by Court: 6-1-17

Any Jury notes received? 2

Jury Verdict:

Guilty as to counts 1-11.

If case proceeds to sentencing, please complete a regular courtroom worksheet.

Sentencing set for: 8-3-17 @ 9am PSI Ordered: 6-2-17 w/ Psychosexual

Bond revoked pending sentencing? Granted 6-2-17

Placed on Pre-Sentence supervision? Conditions?

COURTROOM WORKSHEET

K16

No. 592711 Criminal

No. 4 Courtroom

DFG/JRW Clerk

Date: 5/30/17

Defendant: Abe Mallik

State/Atty King

Deft/Atty Chop

646 Judge Solt ____
655 Judge Adams ____
669 Judge Nicklas ____
675 Judge Rolle ____
679 Judge Sandy ____
682 Judge Martz-Fisher ____
✓ Judge Galloway

____ Pre-Trial Conf.
____ Original Sentencing
____ Violation of Probation
____ Modification/Reduction
____ Plea/Stipulation
- Motion to Supress

____ Nol Pros
____ Stet
____ Advised of Rule 4-215
____ State/Defense/Joint Continuance
____ FTA/Bond Forf/BW issd/Bond by PCCJ

INCARCERATION:

____ DOC
____ FCADC
____ Suspend All
____ Suspend All But _____
____ Work Release Authorized
____ Delayed Entry Beginning _____
____ Weekend Incarceration Beginning _____
____ Home Detention Authorized through: Sheriff's Department _____
____ Domestically Related Private Agency _____

Count(s) No./Charge: _____
Length of Sentence: _____ Credit from: _____
____ In Addition to Any Time Served
____ Must Serve 50% of Sentence

Day 1 - State Motion to Amend dates
Ct. 9
Ct. 10 - Granted
Ct. 11

- State Motion to exclude Def Expert Witness.
- Denied.

- State Motion in Lim
Denied Exclude Def. Intem
Reserve - Exclude Letters

PROBATION:

____ Supervised ____ Years ____ Months
____ Unsupervised ____ P/P ____ DDMP
____ PBJ-CP 6-220 ____ Supervision Fee Authorized/Waived

SPECIAL CONDITIONS:

____ Submit to all programs recommended
____ Remain Drug Free
____ Remain Alcohol Free
____ Random Testing at Own Expense
____ Alcohol Counseling
____ Drug Counseling
____ Community Service _____ Hours Schedule through:
____ Court Costs $ _____ Pay Through: ____ P/P ____ Clerk By/Within _____
____ Fine(s) $ _____ Pay Through: ____ P/P ____ Clerk By/Within _____
____ MD Substance Abuse Fund $ _____ ____ Clerk
____ No Contact with _____
____ Above/Below Guidelines Due to: _____
____ Other _____

Reserve - Def Motion to Exclude State Expert witness.
Denied

RESTITUTION: Reserve
Restitution of $ _____
Victim: _____
____ Pay Direct ____ Pay SAO ____ Pay P&P

- Def. Motion in Limine
Reserve - exclude Documents t relating testimony

____ Alt. Sentencing ____ Privately By _____

When all charges against the defendant are disposed of by acquittal, dismissal, probation before judgment, nolle prosequi, or stet, the defendant may be entitled to expunge the records relating to the charge or charges in accordance with Title 10, Subtitle 1, of the Criminal Procedure Article of the Annotated Code of Maryland.

Revised 4/2017

K16

COURTROOM WORKSHEET

No. 59271 Criminal

No. 4 Courtroom

DEFT JW Clerk

Date: 5/30/17

Defendant: Abe Mallik

State/Atty King

Deft/Atty Chop

646 Judge Solt ____
655 Judge Adams ____
669 Judge Nicklas ____
675 Judge Rolle ____
679 Judge Sandy ____
682 Judge Martz-Fisher ____
✓ Judge Galloway

____ Pre-Trial Conf.
____ Original Sentencing
____ Violation of Probation
____ Modification/Reduction
____ Plea/Stipulation
- Motion to Supress

____ Nol Pros
____ Stet
____ Advised of Rule 4-215
____ State/Defense/Joint Continuance
____ FTA/Bond Forf/BW issd/Bond by PCCJ

INCARCERATION:

____ DOC
____ FCADC
____ Suspend All
____ Suspend All But _____
____ Work Release Authorized
____ Delayed Entry Beginning _____
____ Weekend Incarceration Beginning _____
____ Home Detention Authorized through: Sheriff's Department ____
____ Domestically Related Private Agency ____

Count(s) No./Charge: _____
Length of Sentence: _____ Credit from: _____
____ *In Addition to Any Time Served*
____ Must Serve 50% of Sentence

Day 1 - State Motion to Amend dates
Ct. 9
Ct. 10 - Granted
Ct. 11

- State Motion to exclude Def Expert Witness.
- Denied

- State Motion in Lim
Denied Exclude Def. Intern
Reserve - Exclude Letters

PROBATION:

____ Supervised ____ Years ____ Months
____ Unsupervised ____ P/P ____ DDMP
____ PBJ-CP 6-220 ____ Supervision Fee Authorized/Waived

SPECIAL CONDITIONS:

____ Submit to all programs recommended
____ Remain Drug Free
____ *Remain Alcohol Free*
____ Random Testing at Own Expense
____ Alcohol Counseling Reserve - Def Motion to
____ Drug Counseling Denied exclude State Expert witness.
____ Community Service ____ Hours Schedule through: ____ Alt. Sentencing ____ Privately By ____
____ Court Costs $ _____ Pay Through: ____ P/P ____ Clerk By/Within _____
____ Fine(s) $ _____ Pay Through: ____ P/P ____ Clerk By/Within _____
____ MD Substance Abuse Fund $ _____ ____ Clerk
____ No Contact with _____
____ Above/Below Guidelines Due to: _____
____ Other _____

RESTITUTION: Reserve
Restitution of $ _____
Victim: _____
____ Pay Direct ____ Pay SAO ____ Pay P&P

- Def. Motion in Limine
Reserve - exclude Documents t relating testimony

When all charges against the defendant are disposed of by acquittal, dismissal, probation before judgment, nolle prosequi, or stet, the defendant may be entitled to expunge the records relating to the charge or charges in accordance with Title 10, Subtitle 1, of the Criminal Procedure Article of the Annotated Code of Maryland.

Revised 4/2017

IN THE CIRCUIT COURT FOR FREDERICK COUNTY, MARYLAND

STATE Of MARYLAND,	*	**Case No.: 10-K-16-059271**
	*	
v.	*	
	*	
ABE ARJUN MALLIK,	*	
	*	
Defendant.	*	

****

DEFENDANT'S PROPOSED *VOIR DIRE*

COMES NOW, the Defendant, ABE ARJUN MALLIK, by and through his attorneys, Sun E. Choi, Esquire, and DC Metro Law, LLC, and respectfully requests the Court to propound the following questions to the jurors on their *voire dire* examination.

1. The Defendant in this case is Abe Arjun Mallik. Does any member of the prospective jury know the Defendant?

2. Counsel for the Defendant is Sun E. Choi, Esquire of DC Metro Law, LLC. Does any member of the prospective jury panel know Ms. Choi, or her law firm?

3. The State is represented by Assistant State's Attorney Joyce R. King. Does any member of the prospective jury panel know Ms. King?

4. Does any member of the prospective jury panel know of any of the following defense witnesses, who may be called as a witness in this case?

   a. Abe Arjun Mallik
   b. Mark Johnson, MCSE
   c. Nikita Mallik, a 14 year old minor

5. Has any member of the prospective jury panel heard anything about the facts of this case before coming to the courtroom today?

6. Has any member of the prospective jury panel or the member's immediate

family ever been a victim of criminal conduct?

7. Has any member of the prospective jury panel or the member's immediate family ever been involved in a similar legal proceeding, either as a party, witness, or a juror to the present case?

8. Has any member of the prospective jury panel previously been qualified as an expert in a lawsuit? If so, what field?

9. Knowing only what I have told you about the subject matter of this case, does any member of the prospective jury panel have any biases for or against the claims being made by the State in this case?

10. Has any member of the prospective jury panel have friends or family in law enforcement?

11. Has any member of the prospective jury panel been involved in a whistleblowing matter?

12. Has any member of the prospective jury panel been accused by an employee or subordinate of wrongdoing at your place of employment?

13. The Defendant is a South Asian Male. Does any member of the prospective jury panel have any prejudices against a South Asian Male defendant?

14. Does any member of the prospective jury panel have any incidents with a South Asian-American that may prevent you from fairly and impartially sitting as a juror in this case?

15. Has any member of the prospective jury panel been involved in a possession of child pornography case, as a witness, a victim, or a party?

16. Does any member of the prospective jury panel have strong feelings against pornography in general?

17. Has any member of the prospective jury ever been a victim of a sex-related offense?

18. Does any member of the prospective jury have or know family and/or friends who have been victim(s) of a sex-related offense?

19. Is any member of the prospective jury knowledgeable in the field of cyber-security, hacking, and/or router and Wi-Fi vulnerabilties?

20. Does any member of the prospective jury panel have any reason to believe that you cannot fairly and impartially sit as a juror in this case, and determine the case solely based on the evidence presented?

Respectfully submitted,

DC Metro Law, L.L.C.

By: _____

SUN E. CHOI, ESQUIRE
7820 B Wormans Mill Road, Suite 154
Frederick, Maryland 21701
(202) 630-9529 (Office)
(301) 500-3135 (Fax)
schoi@dcmetrolaw.net
Attorney for Defendant

STATE OF MARYLAND	:	NO. 16-059271 CRIMINAL
VS.	:	IN THE CIRCUIT COURT FOR
ABE ARJUN MALLIK	:	FREDERICK COUNTY, MARYLAND

****

STATE'S REQUEST FOR VOIR DIRE EXAMINATION

COMES NOW the State of Maryland, by and through Joyce R. King, Assistant State's Attorneys for Frederick County, and respectfully requests this Honorable Court to propound the following questions to the Jury Panel for their examination on Voir Dire:

QUESTIONS

1. Does any member of the prospective Jury Panel know the Defendant, Abe Arun Mallik?
2. Does any member of the prospective Jury Panel know any member of the Defendant's family?
3. Does any member of the prospective Jury Panel know the Defendant's Attorney **Sun E. Choi?**
4. Does any member of the prospective Jury Panel know the Assistant State's Attorney for Frederick County, **Joyce R. King**?
5. Does any member of the prospective Jury Panel know the following witnesses who may be called to testify in this case:

John Sheehan, NCMEC
Cpl. Daniel Romeril, FCSO
Dfc. Gary Marriotti, FCSO
Det. William Elrod, FCSO
Steven Gibson, HSI
Det. Jayson Snyder, FCSO
SSA Michael Dickson, USS
Mark Johnson

6. Does any member of the prospective Jury Panel have work experience or specialized training in computers or internet service providers?
7. Is there any member of the prospective Jury Panel who has heard or read anything about the facts in this case before coming into the courtroom today?
8. Is there any member of the prospective Jury Panel who has formed an opinion as to the guilt or innocence of Abe Mallik, the Defendant?
9. Has any member of the prospective Jury Panel or a member of your family ever been the subject of a criminal investigation or a defendant in a criminal or serious traffic case in Maryland or any other State? The term "serious traffic case" would include, but is not limited to, a charge of Driving While Intoxicated or Under the Influence of Alcohol, Driving While Suspended or Revoked, Hit and Run, and Fleeing and Eluding.
10. Has any member of the prospective Jury Panel or your family ever been accused of committing a crime?
11. Has any member of the prospective Jury Panel or a member of your family ever testified as a witness in a criminal case in Maryland or any other State?
12. Has any member of the prospective Jury Panel ever served on a jury in this State or any other State? If so, what was the nature of the offense? What was the outcome?
13. Does any member of the prospective Jury Panel or a member of your family have any political, religious or philosophical beliefs about our system of criminal justice that would make him or her hesitate to sit as a juror in this case?
14. Does any member of the prospective Jury Panel have any physical or emotional impairment which could affect his or her ability to listen to and consider all of the evidence

admitted in this case, including, but not limited to, any hearing, visual, speech or physical impairment which could affect his or her ability to sit for a long period of time?

15. Does any member of the prospective Jury Panel have any prejudice for or against members of law enforcement or police agencies merely because they are employed as police officers?

16. Is there any member of the prospective Jury Panel who would allow the possible punishment of Abe Mallik, the Defendant, if convicted, to influence his or her verdict in this case?

17. The State intends to prove Abe Mallik, the Defendant, guilty beyond a reasonable doubt. Is there any member of the prospective Jury Panel who feels the State must prove its case beyond all doubt or to a mathematical certainty?

18. Is there any member of this prospective Jury Panel who would be unable to base his or her verdict fairly upon the evidence presented, without regard to pity, sympathy, passion or any other emotions?

19. This case is about Possession of Child Pornography. Is there any member of this prospective Jury Panel who would be unable to base his or her verdict fairly after viewing the illicit images?

20. Is there any other reason why any juror would not be able to decide this case fairly based on the evidence and law?

21. The questions, testimony, instructions, exhibits and statements made in this courtroom will be in the English language. Is there any prospective juror who believes their understanding and/or use of the English language is so deficient that they would be unable to effectively

listen to the law and the events of this case and then deliberate with the other jurors upon the facts and evidence of this case as applied to the law?

JOYCE R. KING
ASSISTANT STATE'S ATTORNEY
FREDERICK COUNTY, MARYLAND

IN THE CIRCUIT COURT FOR FREDERICK COUNTY, MARYLAND

STATE OF MARYLAND	*	
	*	Criminal No. 16-059271
vs.	*	
	*	
ABE MALLIK,	*	
	*	
Defendant.	*	

****

DEFENDANT'S OPPOSITION TO STATE'S MOTION TO AMEND THE CRIMINAL INFORMATION

COMES NOW, the Defendant, Abe Mallik, by and through his attorneys, Sun E. Choi, Esquire and DC Metro Law, LLC, and files this Opposition to State's Motion to Amend the Criminal Information, and represents to this Honorable Court as follows:

1. That the State filed its criminal information on December 12, 2016, charging the defendant with eleven (11) counts in violation of CR 11-208, which involves knowingly possessing an image of child pornography. *See* Crim. Info., Case No. 10-K-16-059271, DC Case No. 2U00088412.

2. That the first time the defendant was made aware of the nature of the allegations was April 21, 2016, when a search and seizure warrant was executed at his residence. *See* Appl. for Statement of Charges, DC Case No. 2U00088412.

3. That nearly seven (7) months after the raid of the defendant's home on April 21, 2016, a newly assigned Detective Jayson Snyder filed an application for a statement of charges on November 2, 2016, seeking eleven (11) counts against the defendant in alleged violation of CR 11-208. *Id.*

4. That in the application for the statement of charges, the dates that the alleged offenses occurred was and has always been March 3, 2016. *Id.*

5. That on or about May 17, 2017, just 12 days prior to the jury trial of this matter, the State filed a Motion to Amend the Criminal Information concerning Counts 9, 10, and 11, requesting a change of date of the offenses from March 3, 2016 in all three (3) counts to:

a) Count 9: 4/14/2016,
b) Count 10: 4/12/2016, and
c) Count 11: 3/30/2016.

See State's Mot. Amend Crim. Info. ¶¶ 1-3.

6. That the allegations concerning Counts 9, 10, and 11 involve images of child pornography that were ***knowingly possessed*** by the defendant and found to be located in Defendant's ACER PC laptop on or about March 3, 2016. *See* Crim. Info.

7. That on March 3, 2016, the defendant did not own the ACER PC laptop, where these images were allegedly located.

8. That on March 21, 2016, the defendant purchased the ACER PC laptop and was in possession of the computer at that earliest date, making it impossible to knowingly possess images of alleged child pornography if he did not own the computer where the images were allegedly located.

9. That on April 21, 2016, the State executed a search and seizure warrant, which included the receipt for the ACER PC laptop purchase.

10. The receipt indicates that the date of purchase was March 21, 2016 for $211.99. Please see Exhibit - Item #2 of the Inventory Sheet from the Search and Seizure Warrant, dated April 21, 2016, displaying the receipt for the ACER PC, dated 3-21-2016.

11. That since April 21, 2016 and until May 17, 2017, it took nearly thirteen (13) months for the State to recognize that there is a purported problem with the date of March 3, 2016 for counts 9, 10, and 11.

12. In addition to the disputed date of March 3, 2016, the defendant voluntarily provided an interview under oath to Det. William J. Elrod on May 17, 2016, ***prior to be being formally charged and/or having the benefit of understanding the allegations against him since none could be provided at that time***. Please see the attached Exhibit - May 17, 2106 Voluntary Interview Excerpts of Abe Mallik and Certificate of Transcription.

13. That at the May 17, 2016 interview, the following exchange took place concerning the date of the alleged offense(s) involved:

a) Det. William Elrod: ". . . They reported to the National Center for Exploited Children as to clearing house that which they figure out where it goes. Of course the incident time, it's when they became aware of what was going on."
b) Atty. Choi: "Got you, and that's the March 4th or March 3rd that looks like there?"
c) Det. Elrod: "Yeah, it hasn't changed."

May 17, 2016 Voluntary Interview, at 5 (emphasis added).

14. That at the May 17, 2016 interview, the defendant stated that:

a) There was a foreign device on his home network.
b) Defendant found 200+ potentially unwanted programs on his [ACER] computer.
c) On March 26, 2016, Defendant purchased a premium software called Malwarebytes, because within just five (5) days of purchase, Defendant found over 200+ malware on his ACER PC laptop.

See id., at 14.

15. That based on the information provided by the receipt and the defendant's own statements, the ideal dates of the offenses concerned in Counts 9, 10, and 11-when the images were allegedly located in the ACER PC laptop-must be:

a) After March 21, 2016, since prior to this date, the defendant did not own the ACER PC and was not in possession of it;

b) After March 26, 2016, since the State's Computer Forensic Analyst alleges that the ACER PC did not have any malware, but did contain the alleged child pornography, disputing the defendant's defense theory that his home network was hacked, his ACER PC was compromised, his ACER PC contained over 200+ malware, and a hacker could have placed or dumped the images into the ACER PC; and

c) Before April 21, 2016, since that is the date when the ACER PC was seized from the defendant's home, and has been in the possession of law enforcement to this day.

16. The three new dates that the State requests for amendment-Count 9 (4/14/2016), Count 10 (4/12/2016), and Count 11 (3/30/2016)-meet the above criteria.

17. That pursuant to the Defense Discovery Disclosure on April 3, 2017, the defendant provided emails, dated February 11, 2016, that the defendant sent to his employer complaining about his immediate supervisor, essentially making him a whistleblower. Please see the attached Exhibit - 2/11/2016 Emails, Mallik's Complaints Against Supervisor, 8 Pages.

18. That in the very last sentence of the 2/11/2016 Email, Mr. Mallik wrote,

> "I sincerely pray that this 'FEEDBACK' is taken in the positive spirit it is meant. And I hope that I will not be punished or retaliated against for sharing this information with you both."

Exhibit - 2/11/2016 Email, Page 7.

19. That the State received exculpatory evidence from Comcast that contained account notes, supporting the defendant's position that he may have been hacked and that his devices and accounts were compromised; the Comcast account notes indicate that the defendant called Comcast on February 12, 2016, asking for assistance because his internet speed was noticeably slow. This is just one day after the defendant complained to his employer against his immediate supervisor, and "pray[ed]" that he would not be punished or retaliated against for

sharing the information. Please see the Exhibit - Comcast Account Notes Regarding 2/12/2016 Service Calls.

20. That from the very beginning of the case, the defendant has maintained his innocence, that he believes and provided ample evidence to support his position that he was a victim of a cyber security breach, and that he was hacked because he was a whistleblower.

21. That during his interview on May 17, 2016, the defendant also provided information regarding possible individuals who may have hacked into his home wifi network and obtained access to his accounts and computers through his defective ASUS router, such as an individual at work, who knows all of the defendant's work habits and devices, and understands that the defendant telecommutes from home.

22. That Defendant provided information to the State that he was a victim of racial discrimination at his work, that in 2014, he was awarded a settlement of $51,000 and, because of that ordeal, was labeled a whistleblower. Please see the attached Exhibit - 3/6/2014 Executed Settlement Agreement with Mallik's Employer, 20 Pages.

23. That during his interview and through Defense Discovery Disclosures, the defendant provided ample information to the State that since that settlement, he has been a victim of continued problems at work since he still works for the same employer. These were in the form of emails, dated February 11, 2016, and documents related to the defendant's lawsuit against his current employer that is pending.

24. That despite knowing and having evidence that the defendant did not own the ACER PC laptop that contained the three images of alleged child pornography, the State left the dates as March 3, 2016 until it filed its request for amendment on May 17, 2017.

25. That the defendant has been preparing its defense, relying on the dates involved in the criminal information and the application for the statement of charges, filed by Det. Jayson Snyder.

26. That if the Court grants the amendment for the dates that the State seeks, the jury may find that:

a) The defendant owned the ACER Laptop on March 30, 2016, April 12, 2016, and April 14, 2016.

b) The ACER PC laptop was free of malware as of March 26, 2016, which disputes the defendant's theory that a hacker used malware to compromise his ACER PC and plant the three images of child pornography, in retaliation for his previous lawsuit against his employer and subsequent settlement, as well as his current lawsuit against individuals at his work place.

c) Therefore, the defendant knowingly possessed the three images of child pornography on the ACER Laptop he owned, with no malware present at the time.

27. If the defendant is found to be guilty on the three counts, using the amended dates, he faces an additional 15 years in incarceration and/or $7,500.00 in fines. *See* Crim. Info.

28. If the defendant is found not guilty on the three counts because there is reasonable doubt that he knowingly possessed the alleged child pornography, as the crime requires, he faces no additional jail time and/or fines.

29. The amendment certainly does change the character of the charges, and adds an additional possible incarceration time of 15 years. If the dates are amended, it also forces the

defense to head to a different trajectory to try to prove the defendant's innocence, without any time to prepare that defense.

30. That the State had the benefit of being provided the defense's complete defense theory, and seeks to now use dates that undermine the defense's position that he was hacked and did not knowingly possess the alleged images involved in counts 9, 10, and 11.

31. That the defendant's liberty is at stake.

32. That the defendant has invested incredible amounts of time and money, and has suffered significant emotional trauma, to prove his innocence.

33. That the State cannot be awarded any leverage when the stakes are so high (15 additional possible years of incarceration), such that it is allowed to have mistaken the significant dates of criminal offenses, which completely changes the character and nature of the matter, of the defense theory involved, and of the investigation involved to prove the defendant's innocence.

34. The State's mishandling of dates is not only in regards to the alleged criminal offenses, but also the forensics report of the State's Expert Steven Gibson that was received by the defendant on May 24, 2017.[1]

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[1] The report summary states, "On **May 18, 2016**, Computer Forensic Analyst (CFA) Gibson received digital evidence seized by search warrant . . . ." State's Suppl. Discl. at 802 (emphasis added). Immediately below that, the heading reads, "(Details of Supplemental Report **5/18/2017**)." *Id.* (emphasis added). The report includes copies of the malware scans that CFA Gibson ran on the computer utilizing Malwarebytes and Windows Security Essentials, and each and every one of the scans are shown to have been run on **May 10, 2017**. *See id.* at 803-12. The "May 18, 2016" date for when CFA Gibson received evidence can be assumed to be a typo, meant to be "May 18, 2017," otherwise it would mean that CFA Gibson received evidence more than one year ago and delayed analyzing it until now. But even with a corrected year, the May 18th date does not make sense in light of the more reliable date of the scans on May 10, 2017, as CFA Gibson could not have possibly run the scans before he ever received the evidence. Regardless of when CFA Gibson received the evidence, the scan dates of May 10, 2017-more than one year after the evidence was seized on April 21, 2016-

35. That, if the amendment of the dates of the offenses is granted, the defendant's right to notice has been violated in violation of Maryland Rule 4-204.

36. Essentially, the purpose of Maryland Rule 4–204, governing the amendment of charging documents, is to prevent any unfair surprise to the defendant and his counsel. If the State's proposed amendment changes the character of the offense, and the defendant does not consent, then the amendment is deemed prejudicial to the defendant. Md. R. 4-204.

37. That the defendant does not consent and adamantly opposes this request in that it violates his right to notice, will be prejudicial to the defendant, and constitutes unfair surprise.

WHEREFORE, Abe Mallik, the Defendant, prays that this Honorable Court:

A. DENY State's Motion to Amend the Criminal Information; and

B. Grant any other appropriate relief as this cause may require.

Request for Hearing

Defendant requests a hearing on this issue.

Respectfully submitted,

DC Metro Law, LLC

By:_____

Sun E. Choi, Esquire
7820 B Wormans Mill Road, # 154
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202-630-9529 (Office)
301-500-3135 (Fax)
schoi@dcmetrolaw.net
Attorney for Defendant

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demonstrate the State's excessive delay in pursuing its case, which is bad enough on its own, without its mishandling of significant dates, intentional or not.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on MAY 30, 2017, a copy of the foregoing Opposition was hand-delivered to: Joyce King, ASA, Office of the State's Attorney, Circuit Court Division, 100 West Patrick Street, Frederick, Maryland 21701. And that on May 29, 2017, an electronic copy was served to Joyce King, ASA.



Sun E. Choi, Esquire

IN THE CIRCUIT COURT FOR FREDERICK COUNTY, MARYLAND

STATE OF MARYLAND	*	
	*	Criminal No. 16-059271
vs.	*	
	*	
ABE MALLIK,	*	
	*	
Defendant.	*	

****

ORDER

UPON CONSIDERATION of the foregoing Defendant's Opposition to State's Motion to Amend the Criminal Information, and any response hereto, it is this _____ day of _____, 2017, by the Circuit Court for Frederick County, Maryland,

ORDERED, that State's Motion to Amend the Criminal Information shall be DENIED.

SO ORDERED.

_____
JUDGE of the Circuit Court of Maryland
For Frederick County

IN THE CIRCUIT COURT FOR FREDERICK COUNTY, MARYLAND

STATE OF MARYLAND,	*	Criminal No. 16-059271
	*	
vs.	*	
	*	
ABE ARJUN MALLIK,	*	
	*	
Defendant.	*	

****

DEFENDANT'S MOTION *IN LIMINE* TO EXCLUDE EVIDENCE

COMES NOW, Defendant, ABE ARJUN MALLIK, by and through his attorneys, SUN E. CHOI, ESQUIRE and DC Metro Law, LLC, and moves *in limine* to exclude and for an evidentiary hearing outside of the presence of the jury concerning:

1. The following documents are offered by the State and intended for use in trial:

   (a) EnCase Data, State's Supplemental Pages 813-830;
   (b) Man.Maryland@gmail.com emails Set 1, State's Supplemental Pages 842-872;
   (c) Man.Maryland@gmail.com emails Set 2, State's Supplemental Pages 873-897;
   (d) Det. Snyder's Completed IP Address Log, State's Supplemental Pages 831-841; and
   (e) Det. Snyder's Supplement Notes of April 26, 2017, State's Supplemental Page 797-798.
   (f) Any and all documents, texts, emails that are pornographic, related to prostitution, and/or escort services.

2. Documents 1(a), (b), (c), and (f) above serve the purpose to inflame the jury, in violation of Maryland Rule of Evidence 5-403.

A. Rule 5-403 provides that "[a]lthough relevant, evidence may be excluded if its probative value is substantially outweighed by the danger of unfair prejudice, confusion of the issues, or misleading the jury, or by considerations of undue delay, waste of time, or needless presentation of cumulative evidence." Md. R. 5-403.

B. Statements Regarding Possession of Pornography and Child Erotica

i. On page 49 of the State's Discovery, Det. Jayson Snyder wrote, "I noted that the DVD also contained a folder name 'Folder of Interest.' I viewed the images that were contained in this folder and notes that the images seemed to be a mixture of child erotica images, images of clothes [sp] children, and images of adult female."

ii. On page 50 of the State's Discovery, Det. Snyder wrote, "I took the opportunity to review the file structure where these images were located. I noted that under Users\DeputyGod\Downloads\Uninstall and Users\DeputyGod\Downloads\Uninstall\Delete, I observed multiple folders that contained various porn related images."

iii. These statements and the subject are inflammatory and tend to cause the jury to convict Defendant for possession of child pornography because he (assuming arguendo that it was Defendant's) possessed lawful pornographic images, which are too closely tied to the allegations. They can cause confusion of the issues, misleading the jury to make a logical leap from possession of regular pornography and child erotica to possession of child pornography. The jury can become prejudiced against Defendant and accordingly mistakenly attribute the possession of the wrong type of images to Defendant and form their judgment before the case is even finished. Any probative value of these statements is substantially outweighed by all three dangers of unfair prejudice, confusion of the issues, and misleading the jury. Md. R. 5-403.

C. Statements Regarding Descriptions of Contents of Emails

i. In his police report and supplemental reports, Det. William Elrod wrote descriptions of the contents of emails that were found in Man.Maryland@gmail.com. He characterized the emails as: "These emails are regarding the arrangement of tour guides, escort

services, and prostitution services." Please see State's Discovery, Page 30. His description of an email dated February 18, 2016, from callme_tim@yahoo.com to Man.Maryland@gmail.com, states, "The last message regarding 'indianwife1' is from Callme_yahoo.com to Man.Maryland@gmail.com on 12/18/216 stating '32C - only when horny or aroused she like the sucked.'" Please see State's Discovery, Page 32.

ii. These statements violate Rule 5-403, as the characterizations of the emails are inflammatory and irrelevant, because the alleged offenses in this case involve the date March 3, 2016 and thereafter, while the emails described by Det. Elrod are dated prior to March 3, 2016. Thus, these statements should also be excluded under Rule 5-402, which requires relevancy for admission as evidence.

D. Statements Regarding "Several Messages of Interest"

i. On page 44 of the State's Discovery, Det. Snyder indicated that he may testify to "several messages of interest" that were sent from the phone number 478-693-3733 to Man.Maryland@gmail.com, including:

ii. Any statements regarding these messages will be inflammatory in violation of Rule 5-403 and lack relevancy because the messages are dated prior to the March 3, 2016 date, so Det. Snyder should be prohibited from testifying about these messages. Md. R. 5-402.

3. Documents 1(d)-(e) above contain hearsay in violation of Maryland Rule 5-802.

A. Det. Snyder's completed IP address log (document 1(d)) appears to be a summary of the login history of the various email accounts implicated in this case. Please see State's Discovery, Pages 831-841. The actual records have been provided; however, these

records contain IP addresses that have not been associated in any way with Defendant. The IP addresses appear throughout Det. Snyder's IP log without any identification regarding who it belongs to. There are no citations to the sources of the information, and no references are made to them.

C. Det. Snyder's Supplement Notes of April 26, 2017 (document 1(e)) contain several inadmissible hearsay statements and/or indicate that information or evidence has not been disclosed as required to Defendant. Please see State's Discovery, Page 797-798.

i. Det. Snyder wrote, "On 4/17/17 I called the ASUS tech support telephone number. I advised the ASUS representative that I wanted to speak with an engineer or technician regarding any known vulnerabilities regarding ASUS router RT-AC66U." State's Discovery, Page 797. Defendant has not been informed of exactly what information was provided in Det. Snyder's inquiry regarding "known vulnerabilities," nor with whom Det. Snyder spoke in order to relay the information which lead to the response Det. Snyder received on April 18, 2016.

ii. Det. Snyder wrote:

> On 4/18/17 I received an email reply advising that "Thank you for your patience. *Based on the information received,* we are not able to confirm on any known vulnerabilities with the router's firmware. The latest release is however safe and secure (Version 3.0.0.4.380.7378)." I replied with the following "you advised that there are no known vulnerabilities to the routers firmware. Were there any vulnerabilities in the past two years with this router?" On 4/21/17 I received the following email reply: "There are no known vulnerabilities with the router's firmware *based on the information received.* The firmware updates typically bring along system improvements and general bug fixes. We are not seeing where there are any critical flaws with the router's firmware." *The email correspondence with ASUS was saved* into I/Leads.

State's Discovery, Page 797 (emphasis added). Again, Defendant has not been provided with exactly what information was received by ASUS, upon which ASUS formed its response. Furthermore, the State has failed to disclose this supposedly saved email correspondence to Defendant.

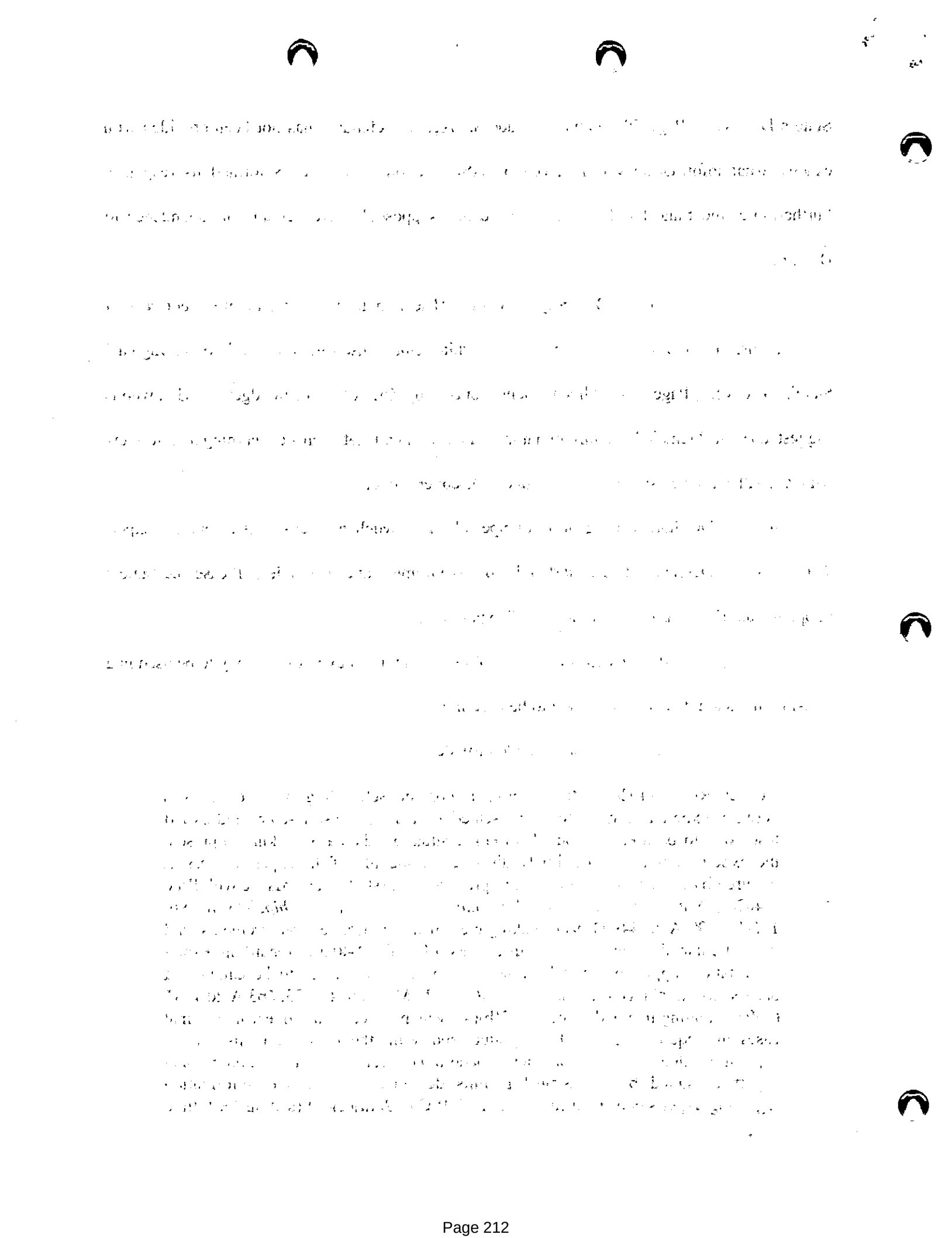
iii. Det. Snyder wrote, "The female using this number sent several photographs, one of which was an image of a white female inserting a device into her vagina." State's Discovery, Page 797. All statements concerning Zoe Allen of Milledgeville, GA, who is suggested as this "female," are inflammatory, and any and all statements concerning an interview with Zoe Allen are hearsay. Please see State's Discovery, Page 798.

4. The State's designation of Special Agent Michael Dickson as a rebuttal Expert Witness to the Defense Expert, Mark Johnson, is untimely and incomplete. Please see State's Supplemental Disclosure and Disclosure of Expert Witness.

A. The disclosure requirements that apply to expert testimony to be used in a case-in-chief should also apply to that to be used in rebuttal.

i. *Dorsey v. Nold* provides,

> Neither Rule 2-402(a), Rule 2-504(b), nor the scheduling order distinguish between expert testimony to be presented in a party's case-in-chief and expert testimony to be used in rebuttal. In either situation, the party seeking to present the expert testimony must timely disclose the identity of the expert witness as required by the scheduling order or as properly requested in accordance with Rule 2-402(a). *See generally State Roads Comm'n v. 370 Ltd. Partnership*, 325 Md. 96, 106-11, 599 A.2d 449 (1991) (making clear that the discovery requirements, and in particular the disclosure requirements of Rule 2-402(e) regarding expert information, apply to rebuttal witnesses as well as witnesses to be called in a party's case-in-chief). *Cf. Hutchins v. State*, 339 Md. 466, 472-75, 663 A.2d 1281 (1995) (holding that Md. Rule 4-263(b)(4), which concerns discovery in criminal cases and requires the State to "[p]roduce and permit the defendant to inspect and copy all written reports or statements made in connection with the action by each expert consulted by the State," permits defendants to discover information regarding experts consulted for rebuttal); F.R.C.P. 26(a)(2)(C) (setting forth time



> frames for the disclosure of the identities of expert witnesses, including later-acquired experts whose testimony becomes necessary "solely to contradict or rebut evidence on the same subject matter identified by another party [during discovery] ...").

Dorsey v. Nold, 745 A.2d 1119, 1132-33, 130 Md. App. 237 (Md. App., 2000).

ii. Maryland Rule 4-263(c)(1) provides that the parties are obligated to exercise due diligence to identify all of the material and information that must be disclosed.

iii. Maryland Rule 4-263(d) provides: "Without the necessity of a request, the State's Attorney shall provide to the defense: . . . (8) Reports or statements of experts. *As to each expert consulted by the State's Attorney in connection with the action*: (A) the expert's name and address, the subject matter of the consultation, the substance of the expert's findings and opinions, and a summary of the grounds for each opinion; (B) the opportunity to inspect and copy all written reports or statements made in connection with the action by the expert, including the results of any physical or mental examination, scientific test, experiment, or comparison; and (C) the substance of any oral report and conclusion by the expert." Md. R. 4-263(d) (emphasis added).

B. Mark Johnson was disclosed as Defendant's expert witness on April 3, 2017, noted as an expert in cyber security, vulnerability of accounts and routers, hacking into accounts, firewalls and their vulnerability and remote access of IP addresses, and the State was provided with Mr. Johnson's expert report on April 25, 2017. However, for more than one year, the State has been aware of Defendant's theory that a hacker accessed his devices and accounts to place the illegal images on his computer, since Defendant's voluntary interview with Det. Elrod on May 17, 2016.

C. The State disclosed Special Agent Dickson as its rebuttal expert witness on May 24, 2017, more than one month after the disclosure of defense expert witness Mr. Johnson, and one month after disclosure of Mr. Johnson's expert report, despite having known about the subject matter a year in advance. Taking into context the fact that the State's disclosure of Mr. Dickson comes only a week before trial, it is untimely and demonstrates the State's failure to exercise due diligence in identifying this required disclosure in a reasonably prompt fashion. Therefore, the State should not be allowed to designate Mr. Dickson as a rebuttal expert witness to Mr. Johnson.

D. In addition to the State's delay in disclosing Mr. Dickson as its rebuttal expert witness, the State's disclosure also lacks any written report or statements by Mr. Dickson or any summaries of the grounds for his opinions. As Mr. Dickson is an expert consulted by the State in connection with this action, the State was required to have disclosed such reports, statements, and summaries, without having been requested to do so, but none have been provided to Defendant. Thus, Mr. Dickson has not been properly designated and disclosed as a rebuttal expert witness, and should be excluded from testifying as a rebuttal expert witness in this trial.

WHEREFORE, Abe Mallik, the Defendant, prays that this Honorable Court:

A. GRANT Defendant's Motion *in Limine* to Exclude Evidence; and

B. Grant any other appropriate relief as this cause may require.

Request for Hearing

Defendant requests a hearing on this issue.

Respectfully submitted,

DC Metro Law, LLC

By: _____

Sun E. Choi, Esquire
7820 B Wormans Mill Road, Suite 154
Frederick, Maryland 21701
Phone: 202-630-9529
Fax: 301-500-3135
schoi@dcmetrolaw.net
Attorney for Defendant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on MAY 30, 2017, a copy of the foregoing Defendant's Motion *in Limine* to Exclude Evidence was hand delivered to: Joyce R. King, ASA, Office of the State's Attorney for Frederick County, Maryland, 100 West Patrick Street, Frederick, Maryland 21701. And on May 30, 2017, an electronic copy was served to Joyce King, ASA.

_____

Sun E. Choi, Esquire

IN THE CIRCUIT COURT FOR FREDERICK COUNTY, MARYLAND

STATE OF MARYLAND,	*	Criminal No. 16-059271
	*	
vs.	*	
	*	
ABE ARJUN MALLIK,	*	
	*	
Defendant.	*	

****

ORDER

UPON CONSIDERATION of the foregoing Defendant's Motion *in Limine* to Exclude Evidence, and any response thereto, it is this _____ day of _____, 2017, by the Circuit Court for Frederick County, Maryland,

ORDERED, that Defendant's Motion *in Limine* to Exclude Evidence is hereby GRANTED.

SO ORDERED.

_____

JUDGE,
Circuit Court of Frederick County, Maryland

IN THE CIRCUIT COURT FOR FREDERICK COUNTY, MARYLAND

STATE OF MARYLAND,	*	Criminal No. 16-059271
	*	
vs.	*	
	*	
ABE ARJUN MALLIK,	*	
	*	
Defendant.	*	

****

DEFENDANT'S OPPOSITION TO STATE'S MOTION TO EXCLUDE DEFENSE EXPERT TESTIMONY

COMES NOW, Defendant, ABE ARJUN MALLIK, by and through his attorneys, SUN E. CHOI, ESQUIRE and DC Metro Law, LLC, and respectfully prays that this Honorable Court deny the State's Motion to Exclude Defense Expert Testimony and for reasons states:

1. The State asks that the defense expert testimony be excluded based on its assertion that the expert report of Defendant's expert witness Mark Johnson does not comport with Maryland Rule 5-702, specifically the requirement of sufficient factual basis.[1]

2. The State claims that "the facts and reasons advanced by Mark Johnson are insufficient to support his opinion" and that he "can offer no support for any of his findings" because he did not conduct a digital examination of the seized electronic evidence, review the forensic examination by Forensic Analyst Steven Gibson of the ACER laptop which contained the child pornography, or reference any data or forensic findings from the electronic devices in his report. *See* State's Mot. Exclude Def. Expert Test. ¶¶ 7-8.

3. However, a factual basis may arise from facts obtained from an expert's first-hand knowledge, facts obtained from the testimony of others, and facts related to an expert through the use of hypothetical questions. *Roy v. Dackman*, 445 Md. 23, 42-43, 124 A.3d 169, 180 (Md.

[1] The State does not challenge Mr. Johnson's qualifications as an expert in the field of cyber security, vulnerability of accounts and routers, hacking into accounts, firewalls and their vulnerability and remote access of IP addresses. *See* State's Mot. Exclude Def. Expert Test.; Md. R. 5-702.

App., 2015) (citations omitted). The State does not dispute that Mr. Johnson formed his opinion based on the information with which he was provided at the time, which can support a sufficient factual basis even without a direct forensic examination of the devices at issue.[2] *See* State's Mot. Exclude Def. Expert Test. ¶ 7; Def. Expert Written Report.[3]

4. The requirement of sufficient factual basis consists of two sub-factors: first, the expert must have an adequate supply of data to work with, and second, the expert must employ a reliable methodology in analyzing that data. *Roy*, 445 Md. at 42-43, 124 A.3d at 180 (citations omitted). Mr. Johnson notes all of the details of the case that were made known to him at the time throughout his report, and it is abundantly apparent that he had adequate information regarding the network system, devices, internet activity, and other technical details specific to this case, which he analyzed using his expertise and reliable methodology in order to build his conclusion. *See* Def. Expert Written Report.

5. "For expert testimony to be admissible, his or her conclusions must be based on a sound reasoning process explaining how the expert arrived at those conclusions." *Exxon Mobil Corp. v. Ford*, 433 Md. 426, 483, 71 A.3d 105, 139, *as supplemented on denial of reconsideration*, 433 Md. 493, 71 A.3d 144 (2013). In his report, Mr. Johnson explains with specificity the reasoning process through which he arrived at his conclusion, comparing his knowledge of hacker behavior, router vulnerabilities, and the circumstantial effects of a breach of cyber security with the facts of the case that were known to him at the time. Given his

[2] In any case, Mr. Johnson is an expert in cyber security, not a certified forensic analyst, so he is legally restrained from personally conducting a digital examination of the seized electronic evidence and inserting himself in the chain of custody.

[3] Additionally, the State claims that Mr. Johnson did not request to review the forensic examination of Mr. Gibson and failed to rely on it in his report. State's Mot. Exclude Def. Expert Test. ¶ 8. However, as Mr. Johnson wrote his report on or before April 25, 2017 and thereafter the State produced Mr. Gibson's supplemental forensic report on May 24, 2017, there were no forensic findings Mr. Johnson could have reviewed or relied on at the time of writing his report. Furthermore, after the Mr. Gibson's forensic report was made available in discovery, Mr. Johnson did review the forensic findings, so the State argument is incorrect in all aspects.

expertise on the subject, Mr. Johnson provides not "mere speculation or conjecture," but a "sound reasoning process" to draw his conclusion from the facts of the case.

6. Additionally, the State fails to provide a reason why Mr. Johnson should be excluded from testifying as an expert witness at trial. An expert may base an opinion or inference on facts or data in the particular case that the expert perceived or was made aware of at or before the hearing.[4] Md. R. 5-703(a). Thus, even without having perceived any forensic findings himself, Mr. Johnson is permitted to testify on his opinion or inferences drawn from the facts he is made aware of at or before the hearing.

7. The State claims that Mr. Johnson inaccurately "states the presence of malware, LogMeIn, TeamViewer, and a Remote Access Trojan," because none of these were found on Defendant's computers at the forensic examination, but a proper reading of the text of the pertinent section[5] and basic logic will show otherwise. State's Mot. Exclude Def. Expert Test. ¶ 9. It is plain to see that Mr. Johnson mentions LogMeIn and TeamViewer as examples of legitimate commercial programs that functioned similarly to the processes used by hackers, and uses Remote Access Trojan as an example of malware in contrast with a virus. Def. Expert Written Report, 6 ¶ 4(a)(i).[6] Therefore, Mr. Johnson does not state anywhere that specifically LogMeIn, TeamViewer, and Remote Access Trojan were exactly the software that were present on the computer.

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[4] The facts or data do not need to be admissible if they are of a type experts in the particular field reasonably rely upon in forming opinions or inferences on the subject. Md. R. 5-703(a).

[5] "The process of accessing a computer remotely by a hacker is a similar process to that used by legitimate commercial programs such as LogMeIn, or TeamViewer[;] as such, a Remote Access Trojan is not . . . a virus, but will be identified as an instance of malware." Def. Expert Written Report, 6 ¶ 4(a)(i).

[6] Mr. Johnson discusses "Remote Access Trojan" in only two other sections of his report. In explaining the "Persistence" stage of hacking, he writes: "The initial malware is used to download backdoor tools *such as* a Remote Access Trojan. The Remote Access Trojan allows the hacker to access the computer day or night without detection from the computer or any installed anti-virus software." Def. Expert Written Report, 5 ¶ 4 (emphasis added). Under the Conclusion section of his report, he mentions "RAT's" as an abbreviation of "Remote Access Trojans": "With access to computers and email accounts using keyloggers and RAT's, the hackers could have easily used this computer for years undetected . . . ." *Id.*, 8.

8. Furthermore, Mr. Johnson notes the information that was relayed to him from Defendant regarding Defendant's discovery of malware on his computer at the time, so while Mr. Johnson states the presence of malware at the time it was found through an anti-malware scan, he does not make any statements as to the presence of malware in the computer thereafter, including at the time of the forensic examination. The whole purpose of anti-malware software, such as Malware Bytes, is to find and remove malware, which damages or disables computers and computer systems. Therefore, if one experiences problems with his computer, purchases anti-malware software, and runs it to find a great number of malware on his computer, it follows that one will remove the discovered malware soon thereafter, rather than keeping the discovered malware on his computer to continue damaging and disabling his computer and computer system. The State's claim that no malware could be found on Defendant's computers, even if held true, has no effect on the basis of Mr. Johnson's report stating the presence of malware at the time it was discovered.

9. The State raises the same argument with the report's reference to the use of a key logger and finding no evidence of a key logger through forensic examination of the devices. State's Mot. Exclude Def. Expert Test. ¶ 10. Again, a key logger can be used as a type of malware, which is obvious in the context of hacking, and a purchaser of anti-malware software will have used it to find and remove malware, including a malicious key logger that had been on the computer. Therefore, the later absence of a key logger on devices that have been cleaned with anti-malware software is to be expected and has no significance in regards to the basis of Mr. Johnson's opinion.

WHEREFORE, Defendant respectfully requests that the Honorable Court:

A. Deny the State's Motion to Exclude Defense Expert Testimony; and

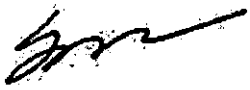
B. Grant any other relief that this Honorable Court may deem appropriate.

POINTS AND CITATION OF AUTHORITIES

1. *Maryland Rules of Procedure*, Rule 5-702
2. *Maryland Rules of Procedure*, Rule 5-703
3. *Roy v. Dackman*, 445 Md. 23, 124 A.3d 169 (Md. App., 2015)
4. *Exxon Mobil Corp. v. Ford*, 433 Md. 426, 71 A.3d 105, *as supplemented on denial of reconsideration*, 433 Md. 493, 71 A.3d 144 (2013)

Respectfully submitted,

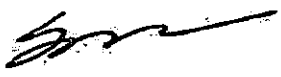
DC Metro Law, LLC



By: SUN E. CHOI, ESQUIRE
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(301) 500-3135 Fax
schoi@dcmetrolaw.net

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on MAY 30, 2017 a copy of the foregoing Opposition to State's Motion to Exclude Defense Expert Testimony was hand-delivered to: Joyce King, ASA Office of the State's Attorney For Frederick County, 100 West Patrick Street, Frederick, Maryland 21701. And on May 29, 2017, an electronic copy was served to Joyce King, ASA.



Sun E. Choi, Esquire

IN THE CIRCUIT COURT FOR FREDERICK COUNTY, MARYLAND

STATE OF MARYLAND,	*	Criminal No. 16-059271
	*	
vs.	*	
	*	
ABE ARJUN MALLIK,	*	
	*	
Defendant.	*	

****

ORDER

UPON CONSIDERATION of the foregoing Defendant's Opposition to State's Motion to Exclude Defense Expert Testimony, and any response thereto, it is this _____ day of _____, 2017, by the Circuit Court for Frederick County, Maryland,

ORDERED, that State's Motion to Exclude Defense Expert Testimony is hereby DENIED.

SO ORDERED.

_____

JUDGE,
Circuit Court of Frederick County, Maryland

IN THE CIRCUIT COURT FOR FREDERICK COUNTY, MARYLAND

STATE OF MARYLAND,	*	Criminal No. 16-059271
	*	
Vs.	*	
	*	
ABE ARJUN MALLIK,	*	
	*	
Defendant.	*	

****

DEFENDANT'S OPPOSITION TO STATE'S MOTION IN LIMINE

COMES NOW, Defendant, ABE ARJUN MALLIK, by and through his attorneys, SUN E. CHOI, ESQUIRE and DC Metro Law, LLC, and files this response to the State's Motion in Limine, and represents to this Honorable Court as follows:

1. That the following documents are proposed by Defendant and objected to by the State on the basis of hearsay[1]:

   a. May 7, 2014 EEO Complaint Inquiry Form
   b. July 15, 2014 Acceptance of Defendant's EEO Complaint
   c. February 11, 2016 Emails, Defendant's Complaints Against Supervisor
   d. April 22, 2016 FDA Letter to Defendant Regarding Suspension
   e. December 5, 2016 FDA Letter to Defendant Regarding Indefinite Suspension
   f. January 19, 2017 FDA Letter to Defendant Regarding Indefinite Suspension
   g. March 1, 2017 FDA Letter to Defendant Rescinding Indefinite Suspension
   h. October 24, 2014 Affidavit of Abe-Arjun Mallik

2. That on March 6, 2014, Defendant's employer, the Department of Health & Human Services, settled Defendant's claim for racial discrimination and paid Defendant $51,441.

3. That on February 11, 2016, Defendant sent emails to his employer complaining about his immediate supervisor, establishing Defendant as a whistleblower once again.

[1] This list of documents does not include the Executed Settlement Agreement with Defendant's Employer, regarding which the parties have reached a stipulation. Please see Stipulation of Parties, Defense Exhibits.

4. That on February 12, 2016, Defendant contacted his internet provider, Comcast, because he noticed that his internet connection grew extremely slow all of a sudden, the day after he had emailed his complaints to his employer.

5. That on March 3, 2016, six (6) images of child pornography were uploaded in Defendant's Gmail account, from the IP address from a Virtual Private Network (VPN) in Ashburn, VA.

6. That on April 21, 2016, the police executed a search and seizure warrant at Defendant's residence.

7. That on April 22, 2016, Defendant's employer, the Food & Drug Administration of the Department of Health and Human Services, suspended Defendant, just one day after the execution of the search and seizure.

8. That on May 17, 2016, Defendant provided a voluntary interview, maintaining that he is innocent of all charges against him, that he found more than 200 instances of malware on his computer, that his internet connection had suddenly slowed, that his router was defective and eventually died, and that he believed he had been hacked.

9. That the documents proffered by Defendant are admissible under Maryland Rule 5-803(b)(24), which provides:

> Under exceptional circumstances, the following are not excluded by the hearsay rule: A statement not specifically covered by any of the hearsay exceptions listed in this Rule or in Rule 5-804, but having equivalent circumstantial guarantees of trustworthiness, if the court determines that (A) the statement is offered as evidence of a material fact; (B) the statement is more probative on the point for which it is offered than any other evidence which the proponent can procure through reasonable efforts; and (C) the general purposes of these rules and the interests of justice will best be served by admission of the statement into evidence. A statement may not be admitted under this exception unless the proponent of it makes known to the adverse party, sufficiently in advance of the trial or hearing to provide the adverse party with a fair opportunity to prepare to

meet it, the intention to offer the statement and the particulars of it, including the name and address of the declarant.

10. These documents are being offered as evidence of a material fact, that in retaliation for Defendant's past and current whistleblowing against his work superiors, a hacker retained by such person(s) had motive to target Defendant, hack into his devices and/or accounts, and leave incriminating evidence to cause him to lose his employment, which has actually happened.

11. These documents are more probative on the point for which they are offered than any other evidence that can be procured through reasonable efforts. With the exception of the February 11, 2016 Emails, all documents offered are copies of official documentation or communications maintained by Defendant's employer in the course of dealing with a complaint by an employee and the suspension of an employee, and thus provide the utmost credibility as evidence of the past and current disputes between Defendant and his employer. The February 11, 2016 Emails provide the origin of the current discrimination dispute between Defendant and his supervisor and are crucial to establishing the date of Defendant's whistleblowing, which immediately precedes the date Defendant experienced a slowing of his internet connection and thereafter found a high number of malware on his newly purchased computer.

12. The general purposes of the Maryland Rules of Evidence, and the interests of justice will best be served by admission of these documents into evidence, because if admitted and held credible, these documents will build the foundation for the defense theory that Defendant was hacked and framed with possession of child pornography in retaliation for his past and current whistleblowing, thus creating reasonable doubt that Defendant knowingly

possessed the illegal images and allowing Defendant to be acquitted of his charges. Admitting these documents into evidence will allow Defendant to maintain his innocence.

13. Copies of these documents were provided to the State in Defendant's discovery disclosures on April 3, 2017 and May 17, 2017. Therefore, Defendant has made the intention to offer the documents and the particulars of it known to the State sufficiently in advance of the hearing to provide the State with a fair opportunity to prepare to meet it.

14. Alternatively, these documents are admissible as offered for the non-hearsay purpose of establishing the existence of disputes that have occurred between Defendant and his supervisor and the matter of Defendant's suspension. The documents regarding Defendant's complaints against his employer-May 7, 2014 EEO Complaint Inquiry Form; October 24, 2014 Affidavit of Abe-Arjun Mallik; and February 11, 2016 Emails, Defendant's Complaints Against Supervisor-are not being offered for the truth of the matters asserted therein, that Defendant's employer committed acts of racial discrimination, but to evince Defendant's verbal acts of whistleblowing, the first time through formal procedures and the second, a written email communication. The rest of the documents are communications Defendant received from his supervisor: July 15, 2014 Acceptance of Defendant's EEO Complaint; April 22, 2016 FDA Letter to Defendant Regarding Suspension; December 5, 2016 FDA Letter to Defendant Regarding Indefinite Suspension; January 19, 2017 FDA Letter to Defendant Regarding Indefinite Suspension; March 1, 2017 FDA Letter to Defendant Rescinding Indefinite Suspension; and March 31, 2017 FDA Letter to Defendant Regarding Indefinite Suspension. These communications demonstrate the difference with which Defendant's supervisor responded to Defendant's formally processed complaint (official letter accepting Defendant's complaint)

and Defendant's informal complaint through email (suspension of Defendant's employment following search and seizure of Defendant's residence).

15. For these reasons, the documents proposed by Defendant are admissible under 5-803(b)(24) or, alternatively, admissible for non-hearsay purposes.

WHEREFORE, Defendant respectfully requests that the Honorable Court:

A. Deny the State's Motion In Limine Concerning the Defendant's Exhibits listed above; and

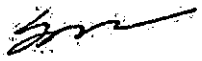
B. Grant any other relief that this Honorable Court may deem appropriate.

POINTS AND CITATION OF AUTHORITIES

1. Maryland Rule 5-803(b)(24)

Respectfully submitted,

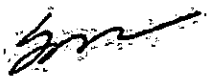
DC Metro Law, LLC



By: SUN E. CHOI, ESQUIRE
7820B Wormans Mill Road, Suite 154
Frederick, Maryland 21701
(202) 630-9529 Office
(301) 500-3135 Fax
schoi@dcmetrolaw.net

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on MAY 30, 2017 a copy of the foregoing Response to State's Motion In Limine was hand-delivered to: Joyce King, ASA, Office of the State's Attorney For Frederick County, 100 West Patrick Street, Frederick, Maryland 21701. And on May 29, 2017, an electronic copy was served to Joyce King, ASA.



Sun E. Choi, Esquire

IN THE CIRCUIT COURT FOR FREDERICK COUNTY, MARYLAND

STATE OF MARYLAND,	*	Criminal No. 16-059271
	*	
vs.	*	
	*	
ABE ARJUN MALLIK,	*	
	*	
Defendant.	*	

****

ORDER

UPON CONSIDERATION of the foregoing Defendant's Response to State's Motion In Limine, and any response thereto, it is this _____ day of _____, 2017, by the Circuit Court for Frederick County, Maryland,

ORDERED, that State's Motion In Limine is hereby DENIED.

SO ORDERED.

_____

JUDGE,
Circuit Court of Frederick County, Maryland

STATE OF MARYLAND	:	NO. 16-059271 CRIMINAL
VS.	:	IN THE CIRCUIT COURT FOR
ABE ARJUN MALLIK	:	FREDERICK COUNTY, MARYLAND

****

STIPULATION OF PARTIES

The parties have reached a stipulation as it relates to the following evidence:

1. Chain of Custody and Inventory Sheet

   The list of items on the attached Chain of Custody and Inventory Sheet were collected from the residence of Abe Mallik, 1710 Canal Clipper Court, Point of Rocks, Frederick County, Maryland, by Dfc. Gary Mariotti during the search warrant on April 21, 2016.

   These items were properly secured at the Frederick County Sheriff's Office located at 110 Airport Drive East, Frederick, Maryland. These are the same items that were made available to Steven Gibson of Homeland Security for forensic examination.

   On Item #3, a typo exists on the Micro Center Receipt "Dated 3-21-16" ACER PC. The parties agree that the correct price is $211.99, not $21.99 as stated.

2. Photographs

   The eighty-five (85) attached photographs were taken by Dfc. Gary Mariotti during the search warrant of residence of Abe Mallik, 1710 Canal Clipper Court, Point of Rocks, Frederick County, Maryland on April 21, 2016. These photographs are fair and accurate depictions of what Dfc. Gary Mariotti observed on that day.

3. Business Records

   In response to a Court Order, the Frederick County Sherriff's Office received the following certified business records: Comcast, Google, Yahoo, Microsoft, FastServ and Hidemyass.com.

4. The Defense stipulates to the attached State Exhibit: CyberTipline Report 8588030

5. The State stipulates to the following Defense Exhibits:
   a) Defense Witness Mark Johnson's Curriculum Vitae.
   b) Defendant Abe Mallik Curriculum Vitae.
   c) February 27, 2014 (Dated by Plaintiff Abe Mallik) and March 6, 2014 (Dated by Defendant) Fully Executed Settlement Agreement.
   d) Comcast Account Notes Regarding 2 Service Calls on February 12, 2016.
   e) March 26, 2016 Receipt for Malwarebytes Anti-Malware Premium Order

f) FTC vs. ASUS Lawsuit Summary
g) Man.Maryland@gmail.com Craigslist Ad Posting

JOYCE R. KING
ASSISTANT STATE'S ATTORNEY

SUN E. CHOI
ATTORNEY FOR THE DEFENDANT

Plt State of MI

Plt Atty King

VS

Deft Abe Mallik

Deft Atty Choi

Revised 4/2015

Case Number K-16-59271

Date 5-30-17 Day 1

Hearing Type Crim Jury

Clerk DFG + JW

5-31-17 Day 2

6-1-17 Day 3

EXHIBIT SHEET

State

PLAINTIFF'S EXHIBITS	ID'D	ADMIT
1 Cyber Tip Line Report	✓	✓
2 Chain of Custody	✓	✓
3 Photos	✓	✓
4 Photos	✓	✓
5 Certified Copy (IP)	✓	✓
6 Certified Copy (VPN)	✓	✓
7 Comcast Document	✓	✓
8 Google Documents	✓	✓
9 Photos	✓	✓
10 Photos	✓	✓
11 Yahoo Responses	✓	✓
12 Emails	✓	✓
13 Emails	✓	Na
14 Ipad	✓	✓
15 Photos	✓	✓
16 Excel spreadsheet	✓	✓
17 Photo w/cover sheet	✓	Na
18 Curriculum Vitae	✓	✓
19 Screen Shot	✓	✓
20 Preliminary folder of Interest	✓	✓

Stipulated 5/30/17

Day 2 5-31-17

DEFENDANT'S EXHIBITS	ID'D	ADMIT
1 Receipt for Laptop	✓	✓
2 Search Warrant Password List Inventory	✓	✓
3 Photo of Id card	✓	✓
4 Website Printout-HMA	✓	Na
5 Documents -Comcast	✓	✓
6 Police Report	✓	✓
7 Settlement Packet	✓	✓
8 Emails + Notes Packet	✓	✓
9 Comcast Log - calls	✓	✓
10 Asus Lawsuit Packet	✓	✓
11 Receipt - Malware	✓	✓
12 Scan Result screen shot	✓	✓
13 Receipt for VPN	✓	Na
14 List of items seized	✓	✓
15 FDA Letter 4-22	✓	✓
16 Screen Shot of Ads	✓	✓
17 Letter rescind suspension	✓	✓
18 Letter indefinite suspension	✓	✓
19 Receipt for router	✓	✓
20 Resume	✓	✓

Day 3 6-1-17

PLAINTIFF'S WITNESSES
1 Detective Jason Snyder
2 Steven Gibson Homeland Security
3 Michael Dickson
4
5

Day 2 5-31-17

Day 3 6-1-17

DEFENDANT'S WITNESSES
1 Abe Mallik - Def
2 Mark Johnson
3
4
5

Plt State of MO

Plt Atty King

VS

Deft Abe Mallik

Deft Atty Choi

Revised 4/2015

Case Number K-16-59271

Date 5-31-17 Day 2

Hearing Type Crim Jury

Clerk DFG + JW

6-1-17 Day 3

EXHIBIT SHEET

PLAINTIFF'S EXHIBITS	ID'D	ADMIT
21 Sampling of Images	✓	✓
22 File Path	✓	✓
23 Browser History Screen Shot	✓	✓
24 Screen Shot Images	✓	✓
25 Images - Cheerleader Folder	✓	✓
26 Reports + Screen Shots	✓	✓
27 2 brown files w/ documents	✓	No
28		
29		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		

5-31-17 Day 2

6-1-17 Day 3

DEFENDANT'S EXHIBITS	ID'D	ADMIT
21 Resume	✓	✓
22 Lawsuit Info	✓	✓
23 Report	✓	✓
24		
25		
26		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		

PLAINTIFF'S WITNESSES
1
2
3
4
5

DEFENDANT'S WITNESSES
1
2
3
4
5

Gmail by Google

Sun E. Choi <schoi@dcmetrolaw.net>

allik Trial

4 messages

Alecia Frisby Trout <wordpress@dcmetrolaw.net> Wed, May 31, 2017 at 12:05 PM
Reply-To: afrisby@mdlab.org
To: schoi@dcmetrolaw.net

From: Alecia Frisby Trout <afrisby@mdlab.org>
Subject: Mallik Trial

Message Body:
This message is for Ms. Choi in regards to the Mallik trial. Yesterday, I was on the jury panel for the case, but my number was too high so I was not addressed prior to a jury being selected. As an attorney, I feel obligated to share with you something that happened that I fear may have influenced the jury. I think you can set it straight before deliberation if you think it is a problem.

Yesterday morning, Judge Nicklas came in to address the prospective jurors. He thanked us for our service and apologized that so many of us had to be called. He said a 3-day felony trial was set in his court room but the defendant had not shown up so the case was not going forward. He referred to how Frederick was going to have to go and get the defendant. There was chatter all day amongst the jurors about how this defendant had fled and how they hoped he wouldn't be caught prior to the end of our jury service because no one wanted to sit on a three-day trial. Then, when we got called up for your trial, and the Judge said it would be a 3-day trial, there was a lot of chatter that this was the case Nicklas had been talking about. I would put money on the fact that most jurors believe that to be true. Therefore, they think that your client fled and had to be captured and brought to trial. Obviously, if that is not true, it needs to be straightened out.

All the best,
Alecia Frisby Trout

—
This e-mail was sent from a contact form on DC Metro Law, LLC (http://dcmetrolaw.net)

Sun E. Choi, Esq. <schoi@dcmetrolaw.net> Wed, May 31, 2017 at 5:09 PM
To: wordpress@dcmetrolaw.net

Dear Ms. Trout,
Thank you so much for this information. I am so grateful for your professional courtesy. I will let the State know immediately, as well as the judge. Thank you. Thank you!

- Sun Choi, Esq.
202-630-9529

Sent from Alto
[Quoted text hidden]

Sun E. Choi, Esq. <schoi@dcmetrolaw.net> Wed, May 31, 2017 at 5:12 PM
To: JKing1@statesattorney.us
Cc: sjyoun@dcmetrolaw.net, aboyer@dcmetrolaw.net, amallik@protonmail.com

Hi Joyce,
Please see below. I would like the judge to clarify that Mr. Mallik was not the defendant who fled. Thanks.

Sent from Alto

On Wednesday, May 31, 2017, Alecia Frisby Trout wordpress@dcmetrolaw.net wrote:
[Quoted text hidden]

King, Joyce <JKing1@statesattorney.us> Wed, May 31, 2017 at 5:30 PM
To: "schoi@dcmetrolaw.net" <schoi@dcmetrolaw.net>

Yes that's no problem to instruct the jury that Judge Nicklas was referring to a different case.

Sent from my Verizon 4G LTE Droid
[Quoted text hidden]

State of Maryland * In the Circuit Court

VS * for

ABE MALIK * Frederick County, Maryland

_____ *

Case #: K 16 - 059271

_____ *

****

Motion to/for BOND Review

Comes now the Defendant, through counsel, and files this Motion for a BOND Review. As grounds, the Defendant states as follows:

1) On 6/2/2017, the Defendant was found guilty of all counts in this matter, after a 3 day jury trial.

2) That BOND was Revoked.

3) That this is the Defendant's very first offense, never having been charged and/or arrested.

4) That the Defendant is not a flight risk, as he has never had an FTA.

5) That the Defendant is not a danger to the community in that he has since being charged has never shown any evidence that would in any way communicate with young children and/or other vulnerable individuals. That he has maintained his innocence since this case began, and will continue to maintain his innocence.

6) That the Defendant underwent a Psychosexual Risk Assessment that summarized he was virtually no risk/low risk of this behavior as it relates to this matter. This will be supplemented at the hearing.

7) That the Defendant has and will file an appeal at the conclusion of this matter.

Respectfully submitted,

Sun E Choi

~~Attorney for~~ Defendant, ~~Self Represented~~

Sun E. Choi 202 630 9529

schoi@dcmetrolaw.net

****

Set in for hearing 6/6/17

Certificate of Service

I HEREBY CERTIFY that on this 12 ED day of June, 20 17, a copy of the foregoing motion was mailed/hand-delivered to the Office of the State Attorney, 100 West Patrick Street, Frederick, Maryland, 21701

2017 JUN -2 PM 3: 15

And via electronically to Joyce King, ASA.

SANDRA K. DALTON

CLERK

Defendant, ~~Self-Represented~~

202 630 9529

schoi@dcmetrolaw.net

6/6/17

Remember...

Bond Review!
Set for June 6, 2017
@2:00pm via Video



(1) Can the court clarify the charges associated with each count. Our current understanding, based on the evidence is that counts 1-8 (the email exchange) is distribution and that counts 9-11 are for possetion. Is this correct or are ALL counts possession.

6-2-17

6/2/2017

6/2/17
1:40 p

(2) Can the court define "Possession" as it pertains to email exchange? In counts 1-8, we know those photos were sent from one email account to another, but none were found on any of his devices.

What does the law define as possession

6-2-17

6/2/17

6/2/17

6/2/17
1:40 pm

STATE OF MARYLAND	:	NO. 16-059271 CRIMINAL
VS.	:	IN THE CIRCUIT COURT FOR
ABE ARJUN MALLIK	:	FREDERICK COUNTY, MARYLAND

****

VERDICT SHEET

1. As to Count 1, index.39jpg.jpg, how do you find the Defendant as to the charge of Possession of Child Pornography?

   _____ Not Guilty X Guilty

2. As to Count 2, index6.png, how do you find the Defendant as to the charge of Possession of Child Pornography?

   _____ Not Guilty X Guilty

3. As to Count 3, index.png, how do you find the Defendant as to the charge of Possession of Child Pornography?

   _____ Not Guilty X Guilty

4. As to Count 4, index4.png, how do you find the Defendant as to the charge of Possession of Child Pornography?

   _____ Not Guilty X Guilty

5. As to Count 5, index5.jpg, how do you find the Defendant as to the charge of Possession of Child Pornography?

   _____ Not Guilty X Guilty

6. As to Count 6, index5.png, how do you find the Defendant as to the charge of Possession of Child Pornography?

   _____ Not Guilty X Guilty

7. As to Count 7, index3.png, how do you find the Defendant as to the charge of Possession of Child Pornography?

_____ Not Guilty X Guilty

8. As to Count 8, index7.png, how do you find the Defendant as to the charge of Possession of Child Pornography?

_____ Not Guilty X Guilty

9. As to Count 9, index14.png, how do you find the Defendant as to the charge of Possession of Child Pornography?

_____ Not Guilty X Guilty

10. As to Count 10, index13.png, how do you find the Defendant as to the charge of Possession of Child Pornography?

_____ Not Guilty X Guilty

11. As to Count 11, delete3.jpg, how do you find the Defendant as to the charge of Possession of Child Pornography?

_____ Not Guilty X Guilty

Clerks copy

STATE OF MARYLAND	:	NO. 16-059271 CRIMINAL
VS.	:	IN THE CIRCUIT COURT FOR
ABE ARJUN MALLIK	:	FREDERICK COUNTY, MARYLAND

****

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3. As to Count 3, index.png, how do you find the Defendant as to the charge of Possession of Child Pornography?

   _____ Not Guilty ✓ Guilty

4. As to Count 4, index4.png, how do you find the Defendant as to the charge of Possession of Child Pornography?

   _____ Not Guilty ✓ Guilty

5. As to Count 5, index5.jpg, how do you find the Defendant as to the charge of Possession of Child Pornography?

   _____ Not Guilty ✓ Guilty

6. As to Count 6, index5.png, how do you find the Defendant as to the charge of Possession of Child Pornography?

   _____ Not Guilty ✓ Guilty

7. As to Count 7, index3.png, how do you find the Defendant as to the charge of Possession of Child Pornography?

✓

Not Guilty _____ Guilty _____

8. As to Count 8, index7.png, how do you find the Defendant as to the charge of Possession of Child Pornography?

✓

Not Guilty _____ Guilty _____

9. As to Count 9, index14.png, how do you find the Defendant as to the charge of Possession of Child Pornography?

✓

Not Guilty _____ Guilty _____

10. As to Count 10, index13.png, how do you find the Defendant as to the charge of Possession of Child Pornography?

✓

Not Guilty _____ Guilty _____

11. As to Count 11, delete3.jpg, how do you find the Defendant as to the charge of Possession of Child Pornography?

✓

Not Guilty _____ Guilty _____

STATE OF MARYLAND	:	CRIMINAL NO: 15-59271
VS.	:	IN THE CIRCUIT COURT FOR
ABE ARJUN MALLIK	:	FREDERICK COUNTY, MARYLAND

****

STATE'S ANSWER TO REQUEST FOR A BOND REVIEW

Comes now the State of Maryland, by Joyce R. King, Assistant State's Attorney for Frederick County, Maryland, in answer to the Request for a Bond Review:

1. The State opposes Defendant's request for a bond Review.
2. The Defendant was found guilty on 11 counts of Possession of Child Pornography.
3. The Defendant's email which contained 9 images of child pornography also contained several sexual correspondence with minor females. Detectives have confirmed the identity of one of those females to be 12 years old at the time of the communications.
4. The State believes this does make him a danger to the community.
5. The Defendant currently resides with his 14 year old daughter. However, the Defendant will be a Tier 1 Sex Offender Registrant and cannot have under unsupervised contact with any minor children.
6. The Defendant has not undergone a **formal** psychosexual evaluation as to his risk. Dr. Marshall stated in her assessment done pretrial, "As Mr. Mallik has only been charged, and not convicted of Child Pornography, applicable psychosexual risk assessment are not applicable."
7. She further concluded, "It is important to note that the identified risk and protective factors are based on information provide to this evaluator preceding the report date. Any changes to Mr. Mallik's static or dynamic factors, and/or new legal charges, should result in a formal psychosexual re-evaluation."

WHEREFORE, the State prays that his Honorable Court deny the Defendant's request for a bond review.

JOYCE R. KING
ASSISTANT STATE'S ATTORNEY
100 WEST PATRICK STREET
FREDERICK, MARYLAND 21701

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5th day of June, 2017, that a copy of this Motion was electronically delivered to Sun Choi, Attorney for the Defendant herein.

JOYCE R. KING
DEPUTY STATE'S ATTORNEY

DPP-INV-47
(Revised 5/97)

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES
DIVISION OF PAROLE AND PROBATION

Investigation Order

Order for Investigation

Name: Abe Arjun Mallik		Date Ordered: 6/2/2017
Alias: N/A		Date of Sentencing: 8/3/2017
Date of Birth: 6/24/1961		Court: Frederick County Circuit Court
Race: Indian	Sex: Male	Judge: Michael M. Galloway
Address: 7300 Marcies Choice Lane, Frederick, MD 21701		Case #: 10-K-16-059271
Home Phone #:		Tracking #: 16-1001-84552-4
Incarcerated: **X Yes** □ No		Offense(s): Possess Child Pornography (CR.11.208)
Confinement Location: N/A		Plea: 11 Counts – Possess Child Pornography (CR.11.208)
□ Referred to Court Medical Service:		Defense Attorney: Sun Choi, Esquire
□ Referred to Contractual Services:		State's Attorney: Joyce King

Type of Investigation

X Standard Pre-Sentence Investigation

Additional Instructions/Directions: _____

_____

□ Pre-Sentence Investigation/Victim Impact Statement. (Required by Annotated Code of Maryland, Article 41, Section

4-609, where the death penalty or life without the possibility of parole is requested)

□ Post-Sentence Investigation.

□ Special Court Investigation.

Information Requested: _____

_____

FILED
2017 JUN -6 A 11:01
SANDRA K. DALTON
CLERK
BY

Judge: _____ Date: 6/5/17

By: _____

Copy to: Hitari Young (P&P)
JAA King/SAO
Choi/Defense

DPP-INV-47
(Revised 5/97)

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES
DIVISION OF PAROLE AND PROBATION

Investigation Order

Order for Investigation

Name: Abe Arjun Mallik		Date Ordered: 6/2/2017
Alias: N/A		Date of Sentencing: 8/3/2017
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Race: Indian	Sex: Male	Judge: Michael M. Galloway
Address: 7300 Marcies Choice Lane, Frederick, MD 21701		Case #: 10-K-16-059271
Home Phone #:		Tracking #: 16-1001-84552-4
Incarcerated: **X Yes** ☐ No		Offense(s): Possess Child Pornography (CR.11.208)
Confinement Location: N/A		Plea: 11 Counts – Possess Child Pornography (CR.11.208)
☐ Referred to Court Medical Service:		Defense Attorney: Sun Choi, Esquire
☐ Referred to Contractual Services:		State's Attorney: Joyce King

Type of Investigation

X Standard Pre-Sentence Investigation

Additional Instructions/Directions: _____

_____

☐ Pre-Sentence Investigation/Victim Impact Statement. (Required by Annotated Code of Maryland, Article 41, Section

4-609, where the death penalty or life without the possibility of parole is requested)

☐ Post-Sentence Investigation.

☐ Special Court Investigation.

Information Requested: _____

_____

FILED
2017 JUN -6 A 11:01
SANDRA K. SALTOH
CLERK
BY

Judge: _____ Date: 6/5/17

By: _____

Copy to: Hitari Young (P&P)
King/SAO
Choi/Defense

MARYLAND JUDICIARY ☒ CIRCUIT COURT ☐ DISTRICT COURT OF MARYLAND FOR Frederick County
City/County

Located at 100 W. Patrick Street, Frederick, MD 21701 Case No. 10-K-16-59271
Court Address

STATE OF MARYLAND vs. Abe Arjun Mallik 6/24/61
Defendant DOB

7300 Marcies Choice Lane
Address

Frederick, MD 21701
City, State, Zip Telephone

ORDER FOR PRESENTENCE PSYCHIATRIC EVALUATION

It is this _____ day of _____, _____;
Month Year

ORDERED the Department of Health and Mental Hygiene or its designee conduct a Presentence Psychiatric Evaluation of the Defendant for the purpose of assisting the Court in sentencing the Defendant and that the Department submit the report within thirty (30) days to the State's Attorney Joyce King;

and to Defense Attorney, Sun Choi, or (if there is no Defense Attorney of record) the Defendant. The date of disposition is 8/3/2017.

IT IS FURTHER ORDERED the Department of Health and Mental Hygiene or it's designee shall have access to prior or current Presentence Investigation reports of the Division of Parole and Probation; Police Investigation Reports (subject to deletion by the custodian of these records of the information identifying confidential source(s), information that might endanger the life or physical safety of any individual or other similar matters of paramount concern); and Criminal History Record information.

INSTRUCTIONS TO EVALUATORS

The Defendant ☒ is incarcerated at Fred. Co. Adult Detention Center, 7300 Marcies Choice Lane, Frederick, MD or ☐ is not presently incarcerated.

☒ Presentence Investigation has been separately ordered

☐ Substance Abuse Evaluation and/or Commitment for Substance Abuse Evaluation and/or Treatment has been separately ordered

☒ *Please give special attention to the following:*

- ☒ Nature of offense
- ☒ Dangerous Behavior
- ☒ Prior Mental/Emotional History
- ☒ Degree to which criminal offense was influenced by Mental Disability, Emotional Disturbance or Substance Abuse
- ☐ Diagnosis of Specific Problem (e.g. Alcoholism)
- ☒ Amenability to treatment and availability of such treatment
- ☒ Risk of Recidivism: ☐ with treatment ☐ without treatment

☒ Other Specifically address sexual deviation as it relates to the convictions of Possession of Child Pornography

6/5/17
Date

FILED
Judge

ID Number

Address

City, State, Zip

2017 JUN -6 A 11:01

SANDRA K. DALTON
CLERK
BY

Attached: Charging Document(s)
DHMH Release of Information
Docket Entries

Copies to: Defense
States' Attorney

Evaluator: _____

CC-DC-020 (Rev. 7/2014)

Copies to: King (SAO)
JQA Choi (Defense)

* * * Communication Result Report (Jun. 5. 2017 11:03AM) * * *

1) Fred Co Circuit Ct Judges Chamb
2)

Date/Time: Jun. 5. 2017 11:02AM

File No.	Mode	Destination	Pg(s)	Result	Page Not Sent
0219	Memory TX	814108480428	P. 3	OK	

Reason for error
E. 1) Hang up or line fail
E. 2) Busy
E. 3) No answer
E. 4) No facsimile connection
E. 5) Exceeded max. E-mail size

FREDERICK COUNTY CIRCUIT COURT

JUDGE'S CHAMBERS

100 W. Patrick Street
Frederick, MD 21701
301-600-2517 (Fax)

FAX COVER LETTER

TO: Julie Smith, DHMH

FROM: Lisa Sweeney

RE: PSI - Mallik

PAGES: 3

NOTES:

BOND HEARING WORKSHEET

COURTROOM # 2

Judge: Sandy

Tape No. 2

CASE NO. 10-K-16-59271

Date: 6/6/17

Clerk: lm

NAME: Abe Arjun Mallik

STATE'S ATTY: King

ATTY FOR DEFT: Choi

AMOUNT OF BOND: $25,000. unsecured

PERSONAL RECOGNIZANCE

SECURED

DEFT'S ADDRESS

EMPLOYER:

ADVISED OF RULE 4-215 (RIGHT TO ATTORNEY)

HEARING DATE SET

SPECIAL CONDITIONS: [illegible]

Δ released & placed on

* Pre-~~Sent~~ Sup. thru P/P

~~Report as directed~~

Submit to any eval. as ordered

No internet/media use whatsoever

No contact w/ any other minor besides his daughter, under age 16

CIRCUIT COURT FOR FREDERICK COUNTY

Case Number K-16-59271

Tracking Number 16-1001-84552-4

District Court Number
or MVA Citation Number 2UDD088412

TO THE SHERIFF OF FREDERICK COUNTY:

Release from your jail and custody the body of

Abe Arjun Mallik

now confined in your jail on charge(s) of Child Pornography

for the following reason:

X Defendant released on Personal Recognizance pending hearing or final disposition. on 8-8-17 @ 10AM

_____ Charges were placed on the Stet Docket.

_____ Charges were Nolle Prossed by the State.

_____ Defendant sentenced to time served.

_____ Appearance Bond satisfied.

_____ Other _____

10-16-17
Date

Sandra F. Dalton
Clerk of the Circuit Court

lm
Courtroom Clerk

SEAL

CIRCUIT COURT OF FREDERICK COUNTY, MARYLAND

STATE OF MARYLAND

VS.

Abe A. Malik
DEFENDANT

K-16-59271
CASE NUMBER

160-1001-84552-4
State Tracking Number

2U00D88412
District Court Number
or MVA Citation Number

COMMITMENT

TO: Warden, Frederick County Adult Detention Center
7300 Marcie's Choice Lane
Frederick, Maryland 21704

YOU ARE HEREBY COMMANDED to receive from any officer the body of the above-named defendant who is charged with the offense(s) of Child pornography

☒ Bail review was held by Judge Sandy

and defendant is committed on $25,000.00 unsecured bond

bail (_____ % acceptable)

☐ Bond reinstated if agreeable with Bondsman. Written letter from Bondsman must be presented.

☒ Sentencing already set 8-8-17 @ 10am

☐ Final Commitment Record to follow.

6-7-17

10-10-17
Date

Richard Sanford Dalton
Clerk

Courtroom Clerk

Revised 12/12

BOND HEARING WORKSHEET

COURTROOM # 2

Judge: Sandy

Tape No. 2

CASE NO. 10-K-16-59271

Date: 6/6/17

Clerk: Om

NAME: Abe Arjun Mallik

STATE'S ATTY: King

ATTY FOR DEFT: Choi

AMOUNT OF BOND: $25,000. unsecured

PERSONAL RECOGNIZANCE

SECURED

DEFT'S ADDRESS

EMPLOYER:

ADVISED OF RULE 4-215 (RIGHT TO ATTORNEY)

HEARING DATE SET

SPECIAL CONDITIONS:

* Pre-Trial Sup. thru P/P
Report as directed
Submit to any eval. as ordered
No internet/media use whatsoever
No Contact w/ any other minor besides his daughter, under age 16

MARYLAND JUDICIARY

☒ CIRCUIT COURT ☐ DISTRICT COURT OF MARYLAND FOR Frederick
City/County

Located at 100 W. Patrick Street Case No. K-16-5927
Court Address

STATE OF MARYLAND vs. Abe Malik
Defendant

ID _____ AR _____

PROPERTY RECEIVED AS EVIDENCE BY CIRCUIT/DISTRICT COURT

FOR _____

PART I

Date: _____ Police Case No. _____

Placed in custody of Clerk or designee: _____

By Officer: _____ Police Dept. _____

State vs. _____ Court Docket No. _____

ITEMS: PROPERTY NO.

1. State Exhibits (14) - Ipad
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

Officer Date Clerk of Court of Designee Date

PART II

Evidence returned to: FCSO Det. Tek 0473
Law Enforcement Agency Officer's Signature

Returned by: Sandra J Lee Date: 6-6-17
Clerk of Court or Designee

THIS FORM IS TO BE COMPLETED IN TRIPLICATE WHEN THE EVIDENCE IS RETAINED BY THE COURT.

PART I: Completion of this section will be performed by the investigating officer and the Clerk of the Court or designee, who will sign the form indicating the Court has possession of the evidence. The investigating officer will also sign the form acknowledging that the evidence is in the custody of the Court. The original and second copy will be retained by the Court. The third copy will be given to the investigating officer for return to the Property Division of the officer's agency.

PART II: Upon notification by the Clerk of the Court pursuant to Maryland Rule 16-306(d)(2), the investigating officer shall pick up the evidence from the Court and sign the form acknowledging receipt. The Clerk of the Court or designee shall also sign the form and give the investigating officer the second copy for return with the evidence to the Property Division of the officer's agency. The Clerk of the Court will retain the original of the form in the appropriate case folder.

CC-DC/CR 20 (Rev. 10/2003) Print Date (12/2008)

MARYLAND JUDICIARY

☒ CIRCUIT COURT ☐ DISTRICT COURT OF MARYLAND FOR Frederick
City/County

Located at 100 W. Patrick Street Case No. K-16-5927
Court Address

STATE OF MARYLAND vs. Abe Mallik
Defendant

ID AR

PROPERTY RECEIVED AS EVIDENCE BY CIRCUIT/DISTRICT COURT

FOR

PART I

Date: Police Case No.

Placed in custody of Clerk or designee:

By Officer: Police Dept.

State vs. Court Docket No.

ITEMS: PROPERTY NO.

1. State Exhibits (14) - Ipad
2.
3.
4.
5.
6.
7.
8.
9.
10.

Officer Date Clerk of Court of Designee Date

PART II

Evidence returned to: FCSO Law Enforcement Agency — Officer's Signature 0473

Returned by: Clerk of Court or Designee Date: 6-6-17

THIS FORM IS TO BE COMPLETED IN TRIPLICATE WHEN THE EVIDENCE IS RETAINED BY THE COURT.

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CC-DC/CR 20 (Rev. 10/2003) Print Date (12/2008)

CIRCUIT COURT FOR FREDERICK COUNTY
100 West Patrick St., Frederick, MD 21701
Phone: (301) 600-1976 Maryland Relay call: 711
Toll-free (in Maryland) 800-341-8797

Case No. 16-59271

STATE OF MARYLAND vs. **Abe Arjun V Mallik**
DOB: 06/24/1961

RECEIVED
MAY 30 2017
Baltimore City Sheriff's Office

TO: Michael Dickson
Baltimore Field Office
2600 Lord Baltimore Drive
100 S Charles St # 11
Baltimore, MD 21201

Issue Date: 05/24/2017
Service Deadline: 60 days after Issue date.

SUBPOENA
(Baltimore City)

You are hereby compelled to appear at a ☑ court proceeding ☐ deposition at the following location:
Circuit Court for Frederick County from May 30, 2017 at 9:00 AM to May 31, 2017
100 West Patrick Street, Frederick, Maryland 21701

☑ To testify in the above case, and/or
☐ To produce the following documents, items, and information, not privileged: _____

☐ To produce, permit inspection and copying of the following documents or other tangible items:

The State's Attorney's Office requested issuance of this subpoena.
Questions should be referred to:
Joyce King
Assistant State's Attorney
301-600-1523

Frederick County Courthouse
100 West Patrick Street, Frederick, MD 21701

Special Message: ****Notice to witness: After 5:00pm the evening before you are scheduled to appear, check the following website: www.frederickcountymd.gov/witnessupdates. If you DO NOT see the name of your case then you MUST appear in Court.**

☐ If this subpoena compels the production of financial information, or information derived from financial records, the requestor of this subpoena hereby certifies having taken all necessary steps to comply with the requirements of Md. Code Ann., Fin. Inst. §1-304 and any other applicable law.

☐ If this subpoena compels the production of medical records, the requestor of this subpoena hereby certifies having taken all necessary steps to comply with the requirements of Md. Code. Ann., Health-Gen. §4-306 and any other applicable law.

Sandra K. Dalton

Sandra K. Dalton, Clerk
Circuit Court for Frederick County

NOTICE:

1. YOU ARE LIABLE TO BODY ATTACHMENT AND/OR FINE FOR FAILURE TO OBEY THIS SUBPOENA.
2. This subpoena is effective for the date and time stated and any subsequent dates as directed by the court.
3. If this subpoena is for attendance at a deposition and the party served is an organization, notice is hereby given that the organization must designate one or more persons who will testify on its behalf, pursuant to Rule 2-412(d).
4. Serving or attempting to serve a subpoena more than 60 days after the date of issuance is prohibited.

RETURN OF SERVICE

I certify that I delivered the original of this Subpoena to the following person(s):
X William Wiscarson on the following date: 5-31-17 by the following method (specified as required by Rule 2-126):

2017 JUN -6 PM 1:57
SANDRA K. DALTON
CLERK

Signature
Printed Name

CC-004 (Rev. 07/01/2015)

****
*** FAX TX REPORT ***
****

TRANSMISSION OK

JOB NO.	1266
DESTINATION ADDRESS	814108480428
SUBADDRESS	
DESTINATION ID	
ST. TIME	06/06 11:25
TX/RX TIME	02'10
PGS.	9
RESULT	OK

CLERK OF THE CIRCUIT COURT FOR FREDERICK COUNTY
100 WEST PATRICK STREET
FREDERICK, MARYLAND 21701

SANDRA K. DALTON, Clerk
LYNDA BYRD, Chief Deputy

Main	301-600-1976
Business	301-600-1961
Civil	301-600-2172
Criminal	301-600-1972
Jury	301-600-1979
Juvenile	301-600-1968

FACSIMILE COVER PAGE

TO: Julie Smith

Fax Number: 410-848-0428

From: P. Smith

Date: 6/6/17

FAX NUMBER OF SENDER: _____

PHONE NUMBER OF SENDER: 301-600-1932

NUMBER OF PAGES (including cover page): 9

MEMO: Re: Abe Mallik

NOTE: The contents of this facsimile are CONFIDENTIAL and are to be viewed by the intended recipient only. If the reader of this message is not the intended recipient or is the employee or agent responsible for delivering it to the intended recipient, the reader is hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this message in error, please notify us by telephone.

CLERK OF THE CIRCUIT COURT FOR FREDERICK COUNTY
100 WEST PATRICK STREET
FREDERICK, MARYLAND 21701

SANDRA K. DALTON
Clerk

LYNDA BYRD
Chief Deputy

Main	301-600-1976
Business	301-600-1961
Civil	301-600-2172
Criminal	301-600-1972
Jury	301-600-1979
Juvenile	301-600-1968

FACSIMILE COVER PAGE

TO: Helena Hager

Fax Number: 410-724-3179

From: R. Smith

Date: 6/6/17

FAX NUMBER OF SENDER:

PHONE NUMBER OF SENDER: 301-600-1932

NUMBER OF PAGES (including cover page): 9

MEMO: Re: Abe Mallik

NOTE: The contents of this facsimile are CONFIDENTIAL and are to be viewed by the intended recipient only. If the reader of this message is not the intended recipient or is the employee or agent responsible for delivering it to the intended recipient, the reader is hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this message in error, please notify us by telephone.

06/06/2017 TUE 11:30 FAX 001

****
*** FAX TX REPORT ***
****

TRANSMISSION OK

JOB NO. 1267
DESTINATION ADDRESS 8141072431 79
SUBADDRESS
DESTINATION ID
ST. TIME 06/06 11:28
TX/RX TIME 02'00
PGS. 9
RESULT OK

STATE OF MARYLAND	:	NO. 16-059271 CRIMINAL
VS.	:	IN THE CIRCUIT COURT FOR
ABE ARJUN MALLIK	:	FREDERICK COUNTY, MARYLAND

EMERGENCY MOTION FOR SECOND BOND REVIEW

COMES NOW, the State of Maryland, by and through, Joyce R. King, Assistant State's Attorney, respectfully moves this Honorable Court to revoke the Defendant's bond and as grounds therefore states as follows:

1. That on June 2, 2017, a jury found the Defendant guilty of eleven counts of Possession of Child Pornography and the Hon. Judge Rolle revoked the defendants bond pending sentencing.

2. That on June 6, 2017, Hon. Judge Sandy revised the bond to a $25,000 unsecured bond.

3. Pursuant to Maryland Rule 4-216.1(c), the court, on motion of any party and after a hearing, may revoke an order of pre-trial release or amend it to impose additional or different conditions of release. The State files this emergency motion to reconsider the bond because in light of the inaccurate risk assessment and the inability of the defendant to return at home, the bond is inappropriate.

4. A condition of pre-sentence release was that the Defendant have no unsupervised contact with the Defendant's minor daughter. However, the Judge Sandy *did not* require that the Defendant not return to the home. The Defendant lives with his wife and 14 year old daughter. Per Parole and Probation's policies, the Defendant **cannot** live in the same residence with his 14 year old daughter.

5. Secondly, Defense counsel proffered to the court that the Defendant conducted a psychosexual evaluation by Dr. Marshall pre-trial and was accessed "low risk". However, the State has since contacted Dr. Marshall who stated that she was unaware of the facts of this case and that would alter her report and assessment.

6. Dr. Marshall stated she was not made aware (1) the defendant was having sexual e-mail communications with minors, (2) the defendant had a collection of child erotica and pictures of children, and (3) the child pornography images consisted of toddlers and some contained children in sexual acts with animals. Dr. Marshall stated that these facts would absolutely contribute to the Defendant's risk assessment.

FILED

7. Dr. Marshall stated that she needs to use different measures to access this defendant and she **can** perform these tests at the Frederick County Detention Center.

2017 JUN -7 AM 9:38

8. The State is concerned for the safety of his minor child and the community as a whole if the

SANDRA K. DALTON

bond remains as set. The Defendant should be incarcerated pending sentencing when a Pre-Sentence Investigation and accurate Pyscho-Sexual Evaluation can be completed.

WHEREFORE, the State respectfully requests that this Honorable Court set in a second-bond review in this case.

JOYCE R. KING
ASSISTANT STATE'S ATTORNEY
100 West Patrick Street
Frederick, MD 21701
(301) 600-2573

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of June 2017, that a copy of this Motion for a Second Bond Review was electronically delivered to Sun Choi, Attorney for the Defendant herein.

JOYCE R. KING
ASSISTANT STATE'S ATTORNEY

STATE OF MARYLAND	:	NO. 16-059271 CRIMINAL
VS.	:	IN THE CIRCUIT COURT FOR
ABE ARJUN MALLIK	:	FREDERICK COUNTY, MARYLAND

ORDER

UPON CONSIDERATION of the aforegoing Petition, it is ordered this _____ day of _____, 2017, that a warrant be issued for the Defendant's arrest, revoking the Defendant's bond and that he be brought before the Court for a hearing.

_____
JUDGE

ORDER FOR PRE-SENTENCE SUPERVISION

TO: Office of Parole and Probation

Name of Defendant:	Abe Arjun Mallik
Birthdate:	June 24, 1961
Criminal Number(s):	10-K-16-059271
Charge(s):	Possess Child Pornography (11 counts)
Future hearing date:	Sentencing August 8, 2017, at 10:00 a.m.

The Defendant appeared before this court for a bond hearing on June 6, 2017, and the Defendant having previously been found guilty of the above charges, the Defendant is to be placed on Pre-Sentence Supervision through the Office of Parole and Probation with the following conditions:

1. The Defendant shall obey all laws; and
2. The Defendant shall report as directed; and
3. The Defendant shall submit to any evaluation(s) as ordered; and
4. That the Defendant shall have no internet/media access whatsoever (including but not limited to: computer, cell phone, IPad); and
5. That the Defendant shall have no contact with any minor under the age of sixteen; and
6. That the Defendant shall have supervised contact with his daughter.

FILED
2017 JUN -8 A 8:36
SANDRA K. DALTON
CLERK
BY

6-7-17
DATE

JUDGE

ORDER FOR PRE-SENTENCE SUPERVISION

TO: Office of Parole and Probation

Name of Defendant:	Abe Arjun Mallik
Birthdate:	June 24, 1961
Criminal Number(s):	10-K-16-059271
Charge(s):	Possess Child Pornography (11 counts)
Future hearing date:	Sentencing August 8, 2017, at 10:00 a.m.

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6. That the Defendant shall have supervised contact with his daughter.

FILED
2017 JUN -8 A 8:36
SANDRA K. EATON
CLERK
BY

6-7-17
DATE

JUDGE

IN THE CIRCUIT COURT FOR FREDERICK COUNTY, MARYLAND

STATE OF MARYLAND	*	
	*	Case No.: 10-K-16-059271
vs.	*	
	*	
ABE MALLIK,	*	
	*	
Defendant.	*	

****

DEFENDANT'S RESPONSE TO STATE'S
EMERGENCY MOTION FOR SECOND BOND REVIEW

COMES NOW, Defendant, by and through his counsel, Sun E. Choi, Esq., and DC Metro Law, LLC, and files the defendant's response to State's Emergency Motion for Second Bond Review. As grounds, the defendant represents to this Honorable Court as follows:

1. That on June 2, 2017, a jury found the defendant guilty of eleven (11) counts of possession of child pornography.

2. That on June 2, 2017, upon the State's request for a bond revocation, Judge Scott Rolle did revoke the defendant's bond. ***However***, upon the defense's objection, Judge Rolle did state to the defense to file a motion for a bond review, which the defendant did that day.

3. That on June 6, 2017, the defendant's motion for bond review was granted by Judge Richard "Ricky" Sandy, after arguments were presented by both parties.

4. That at the June 6, 2017 bond review hearing, the State asserted that the defendant was a flight risk, but provided no information to support its position.

a) Rather, the defendant has been voluntarily cooperative with law enforcement since the beginning of this matter.

b) That on May 17, 2016, the defendant provided a voluntary interview, waiving his constitutional rights to remain silent, before charges were filed on November 11, 2016.

c) That the defendant has never refused to cooperate with law enforcement during the investigation.

d) That the defendant has never been arrested and/or charged with a crime, or even had a serious traffic offense prior to this matter.

e) That the defendant has never had an FTA in any case, in any jurisdiction.

FILED
2017 JUN -5 PM 1:15
FREDERICK COUNTY, MARYLAND
CLERK

f) That the defendant has proactively reached out to ASAP Home Detention Services for private home detention monitoring 24 hours per day, 7 days per week, if there is any question that he is a flight risk. ***Please see the attached Exhibit (ASAP Information and Defendant's Pre-approval).***

5. That on June 7, 2017, the State filed its Emergency Motion for Second Bond Review, and does not include in the reasons provided that the defendant is a flight risk. Thus, the remainder of the response focuses on the State's concerns regarding the safety to the community, specifically to minor children.

6. That the State provides two reasons why a motion to reconsider the bond should be revisited. *See* State's Em. Mot. Sec. Bond Rev. ¶3.

a) Inaccurate risk assessment, and

b) Inability to return at home.

7. That the defense will address the "inability to return home" concern first. The basis of the State's concern seem to be that Parole and Probation policy states that the defendant cannot live in the same residence with his 14 year old daughter. And Judge Sandy did not require the defendant not to return to his home.

a) This concern is moot.

b) The defendant checked in with parole and probation on June 7, 2017, and notified them that his daughter is no longer residing at the defendant's home as of June 8, 2017.

c) That the defendant's daughter is leaving her home on June 8, 2017, and will live with her aunt in Hawaii, until this matter is completely resolved and finished.

d) That the flight confirmation of the 14 year old daughter, Nikita Mallik's travel plans for June 8, 2017 are attached hereto. ***Please see Exhibit (Nikita Mallik Flight Confirmation).***

8. The second concern of the State is that Dr. LaFaye Marshall's summary report was an inaccurate risk assessment. The State explains that Dr. Marshall was not made aware of alleged information that was presented ***at the jury trial.*** *See* State's Em. Mot. Sec. Bond Rev. ¶6.

a) However, the State fails to include in its explanation, which Dr. Marshall confirmed, per my conversation with her on June 7, 2017 at 5:00 pm, that in fact she reviewed information that was provided to her at the time the full assessment for a psychosexual risk assessment took place, ***PRE-TRIAL.***

b) Specifically, that on ***July 8, 2016***, Dr. LaFaye Marshall conducted a full assessment for psychosexual risk on Mr. Abe Mallik, when the only information that was provided by the State was a police report, the search warrant, and an inventory list. ***Please see the attached Exhibit (Emails from and to Dr. LaFaye Marshall Re: 7-8-2016 Assessment).***

c) That on ***November 11, 2016***, the charges were filed against the defendant, over four (4) months after the full assessment took place.

d) That on ***January 16, 2017***, the State's initial discovery was provided, over six (6) months after the full assessment took place. ***Please see the attached Exhibit (State's Initial Discovery Disclosure).***

e) That there were instances where numerous copies of the same documents were provided, but were bates numbered differently throughout the 708 pages of the initial discovery, which was extremely confusing and time-consuming to review.

f) That within the 708 pages of discovery, there were approximately 10 years' worth of Costco detailed purchase receipts of Mr. Mallik's Costco account.

g) That on ***May 24, 2017***, by the time this matter proceeded to a jury trial on May 30, 2017, nearly 1830 pages of discovery was provided by the State, over ten (10) months after the full assessment took place. ***Please see the attached Exhibit (State's Discovery Disclosure of May 24, 2017), a bulk of which was actually served less than a week prior to trial.***

h) That it is inconceivable and unreasonable ***now*** to assert that Dr. LaFaye Marshall should have reviewed 1830 pages of the State's discovery to make a ***pretrial*** full assessment, which rarely happens in these types of cases, but for the fact that the defendant was proactive and desperate to prove his innocence, and to prove that he was not a "high risk" of the behavior that the assessment measured at the time.

i) That on June 7, 2017, the undersigned confirmed with Dr. Marshall that the risk assessment was correct based on the information that was provided, by the State, through the undersigned, at the time the assessment took place on **July 8, 2016.**

j) That Dr. Marshall advised the undersigned that a post-conviction reassessment was necessary since the Defendant has been convicted.

k) That there are issues concerning the reassessment, that the parties have been trying to determine on how to proceed.

l) That the defendant understands this, and will do whatever is necessary to be reassessed. However, the costs involved have to be resolved for Dr. Marshall to provide the reassessment. ***Please see the attached Exhibit (Dr. Marshall's Email Re Costs).*** This may take some time.

9. That although the State asserted at the June 6, 2017 bond review, it does not expound in its June 7 Emergency Motion of its concern for the community as a whole if the defendant's bond remains the same as set. *See* State's Em. Mot. Sec. Bond Rev. ¶8. As such, out of thoroughness and abundance of caution, and to not make light of the State's sweeping statement, the defendant provides the following:

a) That Det. Jayson Snyder, the lead detective, testified on the stand that actual, real live children were not involved in this matter in any way. This was an extremely important fact for the defense because the jury needed to hear it from the State's witness to mollify their fears and concerns that actual children may have been involved. And they were not.

b) That Det. Snyder further testified that the emails in questions were incoming, and not outgoing emails from the defendant to the alleged minors.

c) That the undersigned, during the course of its defense investigation, personally reached out to various individuals that may have been involved in the email exchanges that the State claims involved the defendant and minor children.

d) That the undersigned was able to find out the names of the individuals who had phone numbers that appeared in the defendant's gmail account, and simply reached out to them to determine if, in fact, they were minors.

e) That the State, via Det. Jayson Snyder, did NOT reach out to the various individuals, but one, who is addressed later in this section.

f) That the undersigned has confirmed with the individuals who responded that they ***never received any contacts from law enforcement and/or Det. Jayson Snyder regarding this case*** to determine if they were minors or even involved with the defendant.

g) That the individuals who did respond to the undersigned were NOT minors. They did not know the defendant, nor do they recall having any contact with the defendant, after a detailed description of him was provided, and an explanation that an email address of man.maryland@gmail.com was involved. ***Please see the attached Exhibits (Screenshots of Text Messages of Potential Witnesses Involved in Gmail Communications).***

h) That Det. Jayson Snyder did investigate one particular contact with an individual named Zooey Allen.

i) That in fact, ***Ms. Zooey Allen had absolutely no idea who Mr. Mallik is or if she had contacts with him.*** That Det. Jayson Snyder admitted on the stand, while testifying, that all messages from Ms. Allen were inbound, and that no messages

from the defendant were outbound. He also testified that he had no direct contact with Ms. Allen, but relied on information provided by law enforcement in GA. That Ms. Allen's cell phone was received by Det. Snyder, and no information was able to be retrieved because the phone was inoperable.

j) That the undersigned would appreciate the State providing the precise emails that alludes to the defendant having communications with minors, and to prove that they are minors. At trial, this was one of Judge Michael Galloway's concerns whether the State verified if minors were involved before Det. Snyder could be allowed testify to these emails. On cross, it was abundantly clear that Det. Snyder made assumptions that that contacts concerned minors, but could not provide any support or evidence that they were, but to rely on one GA police officer who stated that Zooey Allen was a minor. And that led nowhere and proved that the defendant was NOT involved.

k) The defense asks respectfully for these definitive emails, that on their face can prove that they are from minors, because Det. Snyder was unable to provide that proof during his sworn testimony. The defense further asks for these emails to make every effort to prove that the defendant did not have contacts with minors in any sexual nature.

10. That the defendant will appear at the bond review hearing to be set, if the defense opposition request to deny the State's motion is denied outright; the defendant will testify, under the penalties of perjury, that he has had no communications with minors in a sexual nature since this case began, and even prior to it.

11. That the defendant is on trial again. That he is now having to defend himself under the supposition that he is a danger to the community as a whole, specifically to minor children, when there is no evidence that such danger exists, or has existed during the time that the defendant was released on his personal recognizance, pending trial.

12. That since June 2, 2017, the defendant was held at the Frederick County Adult Detention Center, and was released late in the evening of June 6, 2017.

13. That the defendant has never been arrested and/or charged with any crimes prior to this matter, and never experienced being incarcerated until June 2, 2017.

14. That the defendant was held in solitary confinement for his own safety since June 2, 2017, due to threats being overheard by the defendant that caused the defendant to fearful for his life. He spent 23 hours a day in solitary confinement.

15. That during that time, while incarcerated, the defendant lost 6 lbs. in four (4) days.

16. That upon his release after this Honorable Court granted the defendant's motion for a bond review on June 6, 2017, the defendant has done the following:

a) Made arrangements to have his 14 year old daughter live with an aunt in Hawaii, until this matter is concluded.

b) Purchased a flip phone that has no ability to be connected with the internet. ***Please see the attached Exhibit (Receipt for Flip Phone).***

c) Proactively sought to become pre-approved for private home detention monitoring services 24/7, to dispel the State's concern that he was a flight risk on the June 6, 2017 bond review hearing, and to address concerns that he would come into contact with minor children.

d) Made contact with Brandy Kaiser to register as a sex offender in compliance with applicable laws.

e) Checked in with Parole and Probation, and scheduled Monday check-ins to continue until the sentencing date.

f) Has turned off his internet service.

g) Has complied with all of the conditions of his bond.

17. That the defendant, who was the only income earner of his family, is financially devastated in that he was indefinitely suspended from his employment without pay due to this case. He has not found employment since his suspension.

18. That the defendant has and continues to maintain his innocence, and will do what he can to prove to this Honorable Court that he is not endangering any minors and/or vulnerable individuals.

19. That the defendant has taken this situation seriously, and has gone above and beyond, by his affirmative actions, to demonstrate his compliance with the Bond Conditions, and to address every single concern that the State can throw at him.

20. That the defendant, who continues to maintain his innocence, is at wit's end on how else to prove he is not a danger to the community, where he has resided in for over a decade.

21. That the undersigned is scheduled to be out of town on June 8, 2017 through June 11, 2017 for a family wedding in Massachusetts. ***Please see the attached Exhibit (Hotel Confirmations).***

22. That if a hearing is to be set, the undersigned is available the entire week of June 12, 2017, although it is the undersigned's understanding from the State that the Judicial Conference will be held from June 12 - June 14, 2017.

23. That the undersigned is available the entire week of June 19, 2017.

WHEREFORE, the defendant prays that this Honorable Court:

A. Deny the State's Emergency Motion for Second Bond Review, without the necessity of a hearing; in the alternative,

B. Set this matter in for a hearing after June 11, 2017, when both this Honorable Court and the parties are available, and

C. And for other such relief as this cause may require.

Respectfully submitted,

DC Metro Law, LLC

By: SUN E. CHOI, ESQUIRE
7820B Wormans Mill Road, Suite 154
Frederick, Maryland 21701
(202) 630-9529 Office
(301) 500-3135 Fax
schoi@dcmetrolaw.net

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on JUNE 8, 2017 a copy of the foregoing Response to State's Emergency Motion for Second Bond Review was hand-delivered and sent via electronic mail to: Joyce King, ASA Office of the State's Attorney For Frederick County, 100 West Patrick Street, Frederick, Maryland 21701.

Sun E. Choi, Esquire

IN THE CIRCUIT COURT FOR FREDERICK COUNTY, MARYLAND

STATE OF MARYLAND	*	
	*	Case No.: 10-K-16-059271
vs.	*	
	*	
ABE MALLIK,	*	
	*	
Defendant.	*	

****

ORDER

UPON CONSIDERATION of the foregoing Defendant's Response to State's Emergency Motion for Second Bond Review, and any response thereto, it is this _____ day of _____, 2017, by the Circuit Court for Frederick County, Maryland,

ORDERED, that State's Motion for Second Bond Review is hereby DENIED, or in the alternative,

ORDERED, that this matter be set in for a hearing after June 11, 2017.

SO ORDERED.

_____

JUDGE,
Circuit Court of Frederick County, Maryland

Advantage Sentencing Alternative Programs, Inc.

& Electronic Monitoring Services(EMS)



Now offering

SCRAMx

Alcohol Monitoring!

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Our Company's History, Ethics, and Long-Term Goals

ASAP, Inc's Program Director is Mr. Charles G. Winchester, who oversees all monitoring services. His history of being with the Baltimore City and County Police Departments, and serving with both the Circuit and District Courts, gives ASAP, Inc. a closer insight into the relationship between law enforcement, judiciary proceedings, the community, and home monitoring.

ASAP, Inc. is licensed by the State of Maryland, and regulated by the Department of Public Safety and the Maryland Commission in Correctional Standards. Additionally, we are fully insured and bonded.

ASAP, Inc. considers reliable service as our strongest asset. We are confident in both our personnel and our selection of monitoring equipment.

ASAP, Inc. fully researched, and selected only the most reliable state-of-the-art technology in our choice of monitoring equipment. We have taken into consideration the vital importance of public safety, judiciary confidence, and cost-effectiveness.

ASAP, Inc. provides all necessary equipment, and guarantees the integrity of its state-of-the-art technology. The financial responsibility of home detention monitoring is assumed solely by the offender; not by the county, state, or taxpayers. Our sliding scale monitoring fee makes home detention affordable regardless of one?s income.

ASAP, Inc. will accept into our program any offender that the courts deem acceptable. The defendant in pre-trial status is a perfect candidate for home detention monitoring as detailed logs of the clients whereabouts can and will be used.

ASAP, Inc. meets with all clients on a bi-weekly basis to collect all verification and information pertaining to outings. This ensures complete compliance with the programs rules and regulations. Maryland State Law requires that a private home detention company meet with clients only once each month.

ASAP, Inc. recognizes the need for a fully competent alternative to incarceration, and stands ready to accept the challenges facing the home monitoring industry today.

Copyright © 2010 ASAP Home Detention
All rights reserved.

Advantage Sentencing Alternative Programs, Inc.

309 E. Joppa Road
Towson, Maryland 21286
Office: 410-832-1717 • Fax: 410-832-1719

14760 Main Street, Suite 103
Upper Marlboro, MD 20772
Office: 301-456-3705

3697 Park Avenue, Suite 200
Ellicott City, MD 21043
Office: 410-832-1717

Sun Choi, Esq.
319 W. Patrick St
Frederick, MD 21701-

06/06/17

RE: **Abe A. Mallik**

Dear Sun Choi, Esq.,

Please be advised that the above referenced client is a potential candidate for home monitoring through Advantage Sentencing Alternative Programs, Inc. Abe A. Mallik would be an acceptable candidate for the program should the Court order them to participate. The terms and conditions of the home monitoring program have been attached for your review.

Should the Court determine that our program is a suitable alternative, please make certain that any Court Order specifies any activities in which the client is permitted to participate. This should include items such as employment, counseling, and other times when the client will be permitted to be away from his/her residence. It will be necessary that a copy of the court order be delivered or faxed to our office immediately following the sentencing hearing.

The electronic monitoring program can be initiated on the date of sentencing if required by the Court.

If you should need any additional information, please do not hesitate to call.

Very truly yours,

Danielle Winchester

Danielle Winchester
A.S.A.P.,Inc.

Enclosure

Advantage Sentencing Alternative Programs, Inc.
309 East Joppa Towson, MD 21286
Office: 410-832-1717 Fax: 410-832-1719

RE: Attorney Information
Home Detention

Dear Attorney:

Thank you for your interest in our company, Advantage Sentencing Alternative Programs, Inc. We are a privately owned and operated home detention company located in Towson, Maryland. We offer Pre and Post trial monitoring nationwide, and provide the lowest minimum daily fee in Maryland.

Our office can evaluate your client prior to his or her court date, and provide you with a letter stating that they have been accepted into the program, and the preliminary paperwork has been signed. If your client is incarcerated, a family member can contact us, and they can provide us with all of the information needed. We can then send you a modified acceptance letter stating your client has been accepted, and will sign all necessary paperwork once he or she is released. Enclosed is a review of our rules and regulations.

The requirements for our program are as follows:

- Client must have a stable residence in which to live.
- Basic land line monitoring is least expensive. No special features (i.e. call waiting, voicemail, call intercept, 800 block, etc). ASAP has monitoring options that do not require a phone line.
- Must have a long distance carrier (no 800 or 10-10 numbers).
- Must have means in which to pay the fees. ($100.00 evaluation and modified acceptance letter fee, $100.00 hook-up fee, and a daily fee to be determined at the time of hook-up; based on a sliding scale, minimum of $10.00-$15.00 per day). Fees are also determined by the type of monitoring required.

The following paperwork is must provided at the time of hook-up:

- Must have a photo ID, as required by law.
- Must present a copy of the most recent phone bill, as required by law.
- Must present a copy of the lease/mortgage/renters agreement, as required by law.
- Must have employment name, address, telephone number, and supervisor information.
- **MUST HAVE A COPY OF THE COURT ORDER SIGNED BY THE JUDGE. (This must state the amount of time to be served and any activities the client is permitted to attend.)**
  Must be faxed or mailed to our office IMMEDIATELY following the sentencing hearing.

If your client is court ordered to serve time on home detention, they must contact our office within twenty four hours of their release.

If you have any questions, please do not hesitate to contact our office.

Advantage Sentencing Alternative Programs, Inc.
309 East Joppa Towson, MD 21286
Office: 410-832-1717 Fax: 410-832-1719

PARTICIPANT RULES AND AGREEMENT

1. I am participating voluntarily.

2. I have a stable residence in which to live.

3. If my monitoring equipment communicates through a home telephone line, it must be a standard and private home telephone line with no additional features (caller ID is acceptable, but NO other features such as voicemail, call waiting, three way calling, forwarding, call intercept, etc.), and the phone line must have long distance. GPS monitoring does not use a phone line. SCRAM and radio frequency monitoring can be done with or without a home phone line. Rule #4 and Rule #5 only apply to monitoring using a home phone line.

4. I will not answer my home phone until after it rings two (2) times.

5. When using the telephone, if I hear a machine cutting in, I understand that I must hang up, and wait at least fifteen (15) minutes before using the phone again.

6. I agree to wear a transmitter device that is installed on my ankle, twenty-four (24) hours a day for as long as I am involved in the program. I will only allow a member of A.S.A.P., Inc. to remove it.

7. I agree to have a device called a "home monitoring unit" (HMU) installed in my home. I agree that a representative from A.S.A.P., Inc. may enter my residence for the purpose of checking this device.

8. I understand that my participation in the A.S.A.P., Inc. Home Detention Monitoring Program is Court Ordered and any violation with A.S.A.P., Inc. will be reported to the Court. I additionally understand that a violation of the home detention order or agreement may be considered an escape and subject to prosecution and imprisonment.

9. I agree that I will be careful in wearing the transmitter and using the equipment while it is in my possession and not perform any activity that would be unsafe to me because I am wearing this equipment.

10. I agree that I will be responsible for the costs of repairing or replacing the equipment if it is damaged by me, my family, or any other party. The costs for replacement are listed on the equipment responsibility form.

11. I understand that if I notice the equipment is not working properly, or in the case of a natural disaster (fire, flood, storm, etc.), I will contact an A.S.A.P., Inc. agent immediately.

12. I agree that I will not submerge the transmitter in water. While bathing I must have my leg over the side of the bath tub, out of the water. While showering, I understand that I must thoroughly cleanse the area around the transmitter with soap and water, and dry underneath. I understand the transmitter, straps, and all parts of the equipment are hypoallergenic and will not cause any type of harm to my body.

13. I must provide the following to verify my identity; in possession of Court Documents, MVA issued drivers license or age of majority (Photo ID) card, employment or any other type of Photo ID card. Copies of these documents will be placed in my file at the time of enrollment.

CLIENT INITIAL _____

Advantage Sentencing Alternative Programs, Inc.
309 East Joppa Towson, MD 21286
Office: 410-832-1717 Fax: 410-832-1719

14. I understand that I must provide A.S.A.P., Inc. with a copy of a current phone bill and Lease/Mortgage/Renters Agreement within fourteen (14) days of my enrollment in the program. Copies will be placed in my file.

15. I agree and understand that A.S.A.P., Inc., its Agents, and Employees are forever held harmless and blameless from any liability whatsoever arising from the use of the Home Detention Monitoring Systems. I give this release without any reservation of any kind.

16. I am aware that if I have a complaint about A.S.A.P., Inc. or one of its agents I will submit this in writing to Mr. Winchester.

17. I agree and understand that my sentence requires me to be confined to my residence subject to the curfew schedule set by A.S.A.P., Inc. and the Court. Residence is defined as the physical building in which the client lives, and as far as the monitoring equipment allows inside of this building. It does not include basements, attics, outbuildings, garages, sheds, and land surrounding the residence.

18. I understand that if I have a medical emergency, I must contact an A.S.A.P., Inc. agent immediately and provide valid verification within 24 hours of leaving my residence.

19. I agree that I will not use alcoholic beverages or drugs of controlled / uncontrolled substances unless my doctor prescribes them for me. I must provide copies of all prescriptions to A.S.A.P., Inc.

20. I understand that I am required to submit to random drug/ alcohol tests (urine samples and / or breath alcohol tests and such) at my own expense, at the discretion of a member of A.S.A.P., Inc. and the Court. I understand that I am not to use the restroom at A.S.A.P., Inc. without permission.

21. I agree and understand that A.S.A.P., Inc., its agents, and employees will not provide me with food, clothing, shelter, medical, and / or dental care while I am participating in the program.

22. I understand that A.S.A.P., Inc. does not discriminate against Race, Religion, Gender, Sexual Orientation, Economic Status, Origin, Etc.

23. I irrevocably authorize A.S.A.P., Inc., its agents, and employees to communicate with and report (written and verbal) to the Court, my probation officer, and my attorney, any information pertaining to my participation in the A.S.A.P., Inc. Home Detention Monitoring program. I additionally authorize the person(s) that I have listed to have access to my file at the time of my hook-up, to be able to obtain this information.

24. I understand that if I, or any of the above listed parties would like access to my case records, they can be obtained by submitting a written request to the A.S.A.P., Inc. office. Records are subject to a fee of $.10 per page.

25. I agree to provide to A.S.A.P., Inc. a copy of all correspondence related to my case that is prepared by myself or counsel directed to my court of record. (Correspondence shall include letter, Court Order or modifications thereto.) If such correspondence results in a court appearance, A.S.A.P., Inc. must be notified at least ten days prior to the court date.

CLIENT INITIAL _____

Advantage Sentencing Alternative Programs, Inc.
309 East Joppa Towson, MD 21286
Office: 410-832-1717 Fax: 410-832-1719

26. If an A.S.A.P., Inc. agent is needed to appear in Court for any reason, there will be a $100 fee for this service.

27. I agree to submit schedules in writing by fax or email, no later than 3PM the day prior to my requested leave or by 3PM Friday for weekend leaves. No exceptions, and no verbal requests will be accepted. I am required to call 15 minutes after submission to confirm approval.

28. I agree to submit written verification of all activities that are performed outside of my home.

ALL ACTIVITIES MUST BE ALLOWED BY COURT ORDER.

A. I agree to submit verification of weekly work hours. Verification should be originals or copies of pay stubs. Verification of employment must be from an independent source. I must notify ASAP immediately of any change in employment.

B. I agree that all activities outside of home or work that are permitted and pre-approved must be verified:

1. Religious Service: Get a bulletin with the name, address, and phone number of the place of worhsip, . Have the service officiant sign next to the date. **Only if allowed by Court Order.**

2. AA/NA meetings/counseling: Name, Location, Telephone Number, Date and Time, Stamped attendance record. Only stamped meetings permitted.

3. Personal time for activities necessary to maintain the household and/or personal hygiene: Receipts with Date and Time, Signed and Dated Business cards. **Only if allowed by Court Order.**

C. I agree that if I am allowed to participate in any of the above activities, I am to use the following time guidelines:

1. Religious service: Permitted to attend one service per week for a maximum of 4 hours, including travel. This must take place between 8:00am and 7:00pm.

2. AA/NA meeting/counseling: Permitted 2 hours to attend one meeting per day, and must return home and be in range by 11:00pm.

3. "Personal Time": Permitted a maximum of 4 hours, including travel time, one time per week, between the hours of 8:00am and 7:00pm.

29. All allowable activities are at the discretion of A.S.A.P., Inc. and activities may be revoked at any time. A.S.A.P., Inc. reserves the right to require GPS monitoring at any time, at an additional cost.

30. I understand that when I leave my home I must immediately and directly report to my authorized destination and return immediately home when my business at this location is completed.

CLIENT INITIAL_____

Advantage Sentencing Alternative Programs, Inc.
309 East Joppa Towson, MD 21286
Office: 410-832-1717 Fax: 410-832-1719

31. I understand that there are special holiday restrictions on all activities/outings. I will be notified in writing prior to each holiday of these restrictions.

32. I understand that I am required to report to the offices of A.S.A.P., Inc. at a minimum of every two weeks. I understand that these appointments are required, and if I do not abide, I can be violated from the program. A.S.A.P., Inc. reserves the right to require any client to report to the office on a more frequent basis.

33. I understand that I must spend a MINIMUM of six (6) consecutive hours within a twenty four (24) hour period in my home, regardless of employment. I am not permitted to work more than eighteen (18) hours in a twenty four (24) hour period, including travel time.

34. I understand that I am not permitted to be away from my home for more than twenty-four (24) hours. If I am away from my home for more than twenty-four (24) hours, a letter of violation will be sent to the appropriate authorities.

35. I understand that at all times while in the A.S.A.P., Inc. office, myself and any persons that are accompanying me are being audio and video recorded. I authorize A.S.A.P., Inc. to do so.

I, being of sound mind and body, have read or have had read to me, the terms and conditions of the A.S.A.P., Inc. Home Detention Monitoring Program. I understand that all rules and regulations are subject to change. I fully understand all terms and conditions, and agree to abide by these rules and regulations.

		6.6.17
Abe A. Mallik	6/6/2017	A.S.A.P., Inc. Representative

STATE OF MARYLAND	*	IN THE _____ COURT
V.	*	FOR _____
_____	*	CRIMINAL CASE NO. _____

ORDER FOR HOME DETENTION

It is hereby ORDERED this ____ day of _____, 20____ by the _____ Court for _____ that _____ be placed on Home Detention as a condition of:

(Check One)

☐ Pre-Trial Release **OR**

☐ Pre-Trial Release After bail in the amount of $_____ is posted **OR**

☐ Home Detention for a period of _____, as a Condition of Probation.

(Check One) (Length of time)

- ☐ Standard Home Detention
- ☐ GPS Home Detention
- ☐ SCRAM Alcohol Monitoring
- ☐ SCRAM Alcohol Monitoring with Home Detention

To be supervised by Advantage Sentencing Alternative Programs, Inc. (ASAP Home Detention)
309 E. Joppa Road, Towson, Maryland 21286 Phone: 410-832-1717 Fax: 410-832-1719
14760 Main Street, Suite 103, Upper Marlboro, MD 20772 Phone: 301-456-3705 Fax: 410-832-1719
3697 Park Avenue, Suite 200, Ellicott City, MD 21043 Phone: 410-832-1717 Fax: 410-832-1719
Charles Co., Washington Co., other Maryland counties, and out of state: 410-241-8321
(Contact: Danielle Winchester)

(Check All That Apply)
Under the following conditions:

- ☐ Standard Conditions (Allowed to attend work, counseling, medical appointments, legal/probation/home detention, weekly religious service, school, and seek employment.
- ☐ Four (4) hours per week for essentials to live outside of jail at the discretion of A.S.A.P., Inc.
- ☐ Work and Home Detention Appointments Only
- ☐ Other:_____

It is further ORDERED that the Defendant contact A.S.A.P., Inc. **immediately** to schedule an appointment. Additionally, the Defendant is placed on Probation for a period of _____ to be supervised by Division of Parole and Probation to commence ☐immediately ☐following the completion of the ASAP, Inc. program subject to further Order of the Court.

_____
JUDGE
Phone Number:_____

Primary Charge:_____
Defense Attorney Phone Number:_____

Gmail by Google

Sun E. Choi <schoi@dcmetrolaw.net>

MileagePlus eTicket Itinerary and Receipt for Confirmation CXCWL6

1 message

United Airlines, Inc. <unitedairlines@united.com>
To: Schoi@dcmetrolaw.net

Wed, Jun 7, 2017 at 3:50 PM

UNITED | A STAR ALLIANCE MEMBER

Confirmation:
CXCWL6

Issue Date: June 07, 2017

TRAVELER INFORMATION

Traveler	eTicket Number	Frequent FlyerNumber	Seats
MALLIK/NIKITA	0162351393644		23E

FLIGHT INFORMATION

Day, Date	Flight	Class	Departure City and Time	Arrival City and Time	Aircraft	Meal
Thu, 08JUN17	UA145	XN	WASHINGTON, DC (IAD - DULLES) **8:45 AM**	HONOLULU, HI (HNL) **1:01 PM**	767-400	Purchase

FARE INFORMATION

Fare Breakdown

Airfare: USD	0.00
September 11th Security Fee: 5.60	
Per Person Total: USD	5.60
eTicket Total: USD	5.60

MileagePlus Account Debited:
SF053405

Form of Payment:
AMERICAN EXPRESS
Last Four Digits 2007

MileagePlus Miles Debited/ Award Used:
22500/S225H

The airfare you paid on this itinerary totals: 0.00 USD

The taxes, fees, and surcharges paid total: 5.60 USD

Award Rules: Additional charges may apply for changes in addition to any fare rules listed.
RWD/NONEND/-TRAN;VALID UA;NOT VALID AFTER 6/7/2018
All changes must be made prior to the departure date, or the ticket has no value.

Baggage allowance and charges for this itinerary.

Baggage fees are per traveler

Origin and destination for checked baggage	1st bag	2nd bag	Maximum weight and dimensions per piece of baggage Max wt / dim per piece
6/8/2017 Washington, DC (IAD - Dulles) to Honolulu, HI (HNL)	25.00 USD	35.00 USD	50.0lbs (23.0kg) - 62.0in (157.0cm)

Important Information about MileagePlus Earning

- Accruals vary based on the terms and conditions of the traveler's frequent flyer program, the traveler's frequent flyer status and the itinerary selected. United MileagePlus® mileage accrual is subject to the rules of the MileagePlus program
- Once travel has started, accruals will no longer display. You can view your MileagePlus account for posted accrual
- You can earn up to 75,000 award miles per ticket. The 75,000 award miles cap may be applied to your posted flight activity in an order different than shown
- *PQD are a Premier status requirement for members in the U.S. only.*
- Accrual is only displayed for MileagePlus members who choose to accrue to their MileagePlus account.

MileagePlus eTicket Reminders

- **Check-in Requirement** - Bags must be checked and boarding passes obtained at least 30 minutes prior to scheduled departure. Baggage will not be accepted and advance seat assignments may be cancelled if this condition is not met.
  EXCEPTION: When departing from Anchorage, Atlanta, Chicago, Cincinnati, Cleveland, Denver, Dallas/Ft. Worth, Fort Lauderdale, Honolulu, Houston, Indianapolis, Jacksonville, Kahului, Kona, Las Vegas, Los Angeles,
  Maui, Miami, Newark, Orange County (SNA), Orlando, Philadelphia, Phoenix, Reno, San Francisco, San Juan, PR, St. Louis, Seattle, Tampa, Washington, DC (both IAD and DCA)or Austin the check in requirement time for Passengers and Bags is 45 minutes.
- **Boarding Requirement** - Passengers must be prepared to board at the departure gate with their boarding pass at least 15 minutes prior to scheduled departure.
- Failure to meet the **Boarding Requirements** may result in cancellation of reservations, denied boarding, removal of checked baggage from the aircraft and loss of eligibility for denied boarding compensation.
- Bring your boarding pass or this eTicket Receipt along with photo identification to the airport.

- The FAA now restricts carry-on baggage to one bag plus one personal item (purse, briefcase, laptop computer, etc.) per passenger. The fare rules for your ticket may restrict your carry-on baggage allowance even further.
- For up to the minute flight information, sign-up for our Flight Status Updates or call 1-800-824-6200; in Spanish 1-800-426-5561.
- If flight segments are not flown in order, your reservation will be cancelled. Rebooking will be subject to the fare rules governing your ticket.
- For the most current status of your reservation, go to our Flight Status page.
- Your eTicket is non transferable and valid for 1 year from the issue date unless otherwise noted in the fare rules.
- Award travel is subject to the terms and conditions of the MileagePlus program.
- Redeposit or change fees apply for award travel based on Premier level. Please go to united.com or call 800-UNITED-1 for details.

Customer Care Contact Information

We welcome your compliments, comments or complaints regarding United or a United travel experience.

You may contact us using our Customer Care form

Refunds Within 24 Hours

When you book and ticket a reservation through united.com, the United mobile app, the United *Customer Contact Center, at our ticket counters or city ticket offices, or if you* use MileagePlus® miles to book an award ticket, we will allow you to cancel the ticketed reservation without penalty and receive a 100 percent refund of the ticket price to the original form of payment if you cancel the reservation within 24 hours of purchase and if the reservation is made one week or more prior to scheduled flight departure.

Hazardous materials

Federal law forbids the carriage of hazardous materials on board aircraft in your luggage or on your person. A violation can result in five years imprisonment and penalties of $250,000 or more (49 U.S.C. 5124).

Hazardous materials include explosives, compressed gases, flammable liquids and solids, oxidizers, poisons, corrosives and radioactive materials. Common examples of hazardous materials/dangerous goods

include spare or loose lithium batteries, fireworks, strike-anywhere matches, aerosols, pesticides, bleach

and corrosive materials.

Additional information can be found on:

united.com restricted items page
FAA website Pack Safe page
TSA website Prohibited Items page

Proud Member of Star Alliance

We are making connections so you make yours. You can earn and redeem miles on 28 member airlines offering over 18,000 daily flights to more than 1,300 destinations worldwide.
Go to www.staralliance.com to find out more. You've earned it.

IMPORTANT CONSUMER NOTICES

Notice of Baggage Liability Limitations - For domestic travel between points within the United States (except for domestic portions of international journeys), United's liability for loss of, damage to, or delay in delivery of a customer's checked baggage is limited to $3,500 per ticketed customer unless a higher value is declared in advance and additional charges are paid (not applicable to wheelchairs or other assistive devices). For such travel, United assumes no liability for high value, fragile, perishable, or otherwise excluded items; excess valuation may not be declared on certain types of valuable articles. Further information may be obtained from the carrier. For international travel governed by the Warsaw Convention (including the domestic portions of the trip), maximum liability is approximately 640 USD per bag for checked baggage, and 400 USD per passenger for unchecked baggage. For international travel governed by the Montreal Convention (including the domestic portions of the trip), maximum liability is 1,131 SDRs per passenger for baggage, whether checked or unchecked. For baggage lost, delayed, or damaged in connection with domestic travel, United requires that customers provide preliminary notice within 24 hours after arrival of the flight on which the baggage was or was to be transported and submit a written claim within 45 days of the flight. For baggage damaged or delayed in connection with most international travel (including domestic portions of international journeys), the Montreal Convention and United require customers to provide carriers written notice as follows: (a) for damaged baggage, within seven days from the date of receipt of the damaged baggage; (b) for delayed baggage, within 21 days from the date the baggage should have been returned to the customer. Please refer to Rule 28 of United's Contract of Carriage for important information relating to baggage and other limitations of liability.

Notice of Incorporated Terms - Transportation is subject to the terms and conditions of United's Contract of Carriage, which are incorporated herein by reference. Incorporated terms may include, but are not limited to: 1. Limits on liability for personal injury or death of the customer, and for loss, damage, or delay of goods and baggage, including high value, fragile, perishable, or otherwise excluded items. 2. Claims restrictions, including time periods within which customers must file a claim or bring an action against the carrier. 3. Rights of the carrier to change terms of the contract. 4. Rules about reconfirmation of reservations, check-in times, and refusal to carry. 5. Rights of the carrier and limits on liability for delay or failure to perform service, including schedule changes, substitution of an alternate air carrier or aircraft, and rerouting. The full text of United's Contract of Carriage is available at united.com or you may request a copy at any United ticket counter. Passengers have the right, upon request at any location where United's tickets are sold within the United States, to receive free of charge by mail or other delivery service the full text of United's Contract of Carriage.

Notice of Certain Terms - If you have purchased a restricted ticket, depending on the rules applicable to the fare paid, one or more restrictions including, but not limited to, the following may apply to your travel: (1) the ticket may not be refundable but can be exchanged for a fee for another restricted fare ticket meeting all the rules/restrictions of the original ticket (including the payment of any difference in fares); (2) a fee may apply for changing/canceling reservations; or (3) select tickets may not be eligible for refunds or changes even for a fee; (4) select tickets have no residual value and cannot be applied towards the purchase of future travel; or (5) travel may be restricted to specific flights and/ or times and a minimum and/or maximum stay may be required. United reserves the right to refuse carriage to any person who has acquired a ticket in violation of any United tariffs, rules, or regulations, or in violation of any applicable national, federal, state, or local law, order, regulation, or ordinance. Notwithstanding the foregoing, you are entitled to a full refund if you cancel a ticket purchased at least a week prior to departure within 24 hours of purchase.

- **Notice of Boarding Times** - For Domestic flights, customers must be at the boarding gate at least 15 minutes prior to scheduled departure. For International flights, customers must be at the boarding gate at least 30 minutes prior to scheduled departure. The time limits provided by United in this Notice are minimum time requirements. *Customer and baggage processing times may differ from airport to airport. Please visit united.com for information* regarding airport-specific boarding times. It is the customer's responsibility to arrive at the airport with enough time to complete check-in, baggage, and security screening processes within these minimum time limits. Please be sure to check flight information monitors for the correct boarding gate and the departure time of your flight. Failure to be at the boarding gate by the required time could result in the loss of your seat without compensation, regardless of whether you are already checked in or have a confirmed seat and boarding pass.
- **Advice to International Passengers on Carrier Liability** - Passengers on a journey involving an ultimate destination or a stop in a country other than the country of departure are advised that international treaties known as the Montreal Convention, or its predecessor, the Warsaw Convention, including its amendments, may apply to the entire journey, including any portion thereof within a country. For such passengers, the treaty, including contracts of carriage embodied in applicable tariffs, governs, and may limit the liability of the Carrier in respect of death or injury to passengers, and for destruction or loss of, or damage to, baggage, and for delay of passengers and baggage.
- **Notice - Overbooking of Flights** - *Airline flights may be overbooked, and there is a slight chance that a seat will* not be available on a flight for which a person has a confirmed reservation. If the flight is overbooked, no one will be denied a seat until airline personnel first ask for volunteers willing to give up their reservation in exchange for compensation of the airline's choosing. If there are not enough volunteers, the airline will deny boarding to other persons in accordance with its particular boarding priority. With few exceptions, including failure to comply with the carrier's check-in deadlines, which are available upon request from the air carrier, persons, denied boarding involuntarily are entitled to compensation. The complete rules for the payment of compensation and each airline's boarding priorities are available at all airport ticket counters and boarding locations. *Some airlines do not apply these consumer protections to travel from some foreign countries, although other consumer protections may be available. Check with your airline or your travel agent.*

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For assistance, please contact United Airlines via telephone or via e-mail.2017

Fwd: Abe Mallik

Sun E. Choi <schoi@dcmetrolaw.net> Wed, Jun 7, 2017 at 11:19 PM
To: "Sun E. Choi, Esq." <schoi@dcmetrolaw.net>

On Fri, Jul 8, 2016 at 12:35 PM, Dr Faye <drlfmarshall@gmail.com> wrote:

Hello,

I am conducting the evaluation of your client now. I anticipate that we will conclude by 2pm.

I have some questions for you regarding the status of his case. Do you have any time later this afternoon or this weekend (if you are amenable) to converse about his case?

Thank you,
Dr. LaFaye Marshall
Dr. LaFaye Marshall, LLC
*Licensed Clinical Psychologist
*Certified Sexual Offender Treatment Provider
Email: drlfmarshall@gmail.com
Web: drlfmarshall.com
Phone: 240.481.2723
Fax: 240.524.1303

On Jul 7, 2016, at 10:24 AM, Sun E. Choi <schoi@dcmetrolaw.net> wrote:
Dear Dr. Marshall:

Here are the documents I have for Mr. Mallik.
I will also start forwarding other information that may help you assess him.

Thank you.
--
Sun E. Choi, Esq.
DC Metro Law, LLC
www.dcmetrolaw.net
schoi@dcmetrolaw.net
7820 B Wormans Mill Road, Suite 154
Frederick, Maryland 21701
202-630-9529 office
301-500-3135 fax
Skype: sunechoi
Website | LinkedIn | Facebook | Twitter | Instagram

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<Mallik Search Warrant.pdf>
<Inventory List Seized.pdf>

Police Report - Abe Mallik.pdf
8948K

Abe Mallik - Discovery: State's Experts & Initial Discovery

Sun E. Choi <schoi@dcmetrolaw.net> Mon, Jan 16, 2017 at 10:34 PM
To: Abe Mallik <amallik@protonmail.com>, "Ashley M. Boyer, Office Manager" <aboyer@dcmetrolaw.net>

--
Sun E. Choi, Esq.
DC Metro Law, LLC
www.dcmetrolaw.net
schoi@dcmetrolaw.net
7820 B Wormans Mill Road, Suite 154
Frederick, Maryland 21701
202-630-9529 voice & texts
301-500-3135 fax | Skype: sunechoi
Website | LinkedIn | Facebook | Twitter | Instagram

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2 attachments

State's_Expert_Witnesses_-_Elrod_&_Gibson.PDF
195K

Initial_Discovery_-_Pages_1-708.PDF
170K

STATE OF MARYLAND	*	CRIMINAL NO. 16-59271
VS.	*	IN THE CIRCUIT COURT FOR
ABE ARJUN MALLIK	*	FREDERICK COUNTY, MARYLAND

****

STATE'S SUPPLEMENTAL DISCLOSURE AND DISCLOSURE OF EXPERT WITNESS

The State of Maryland, by Joyce R. King, Assistant State's Attorney for Frederick County, Maryland, supplements the following information:

Special Agent Michael Dickson, United States Secret Service, Baltimore Field Office Special Agent, Network Intrusion Response Officer as an expert witness.

1. The State does not intend to call Special Agent Dickson in our case in chief but will only be called as a rebuttal Expert Witness to the Defense Expert, Mark Johnson;

2. Pursuant to Maryland Rule 4–263(b)(4) the state is providing the attached reports generated by Special Agent Dickson:
   a. Supplemental pages 987-1393 (Acer Reports);
   b. Supplemental pages 1394-1820 (Dell Reports);

3. Special Agent Dickson is a Cyber Security and Intrusion expert;

4. Supplemental pages 1821-1825 (ACER HMA Log for DeputyGod); Supplemental Pages 1826-1830 (ACER HMA Log for Mallik)

JOYCE R. KING
ASSISTANT STATE'S ATTORNEY
100 West Patrick Street
Frederick, Maryland 21701
301-600-1523

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24 day of May, 2017, a copy of the foregoing State's Supplemental Disclosure was mailed, postage paid, to Sun E. Choi, Esq., DC Metro Law, LLC, at 7820B Wormans Mill Rd., Suite 154, Frederick, Maryland 21701, Attorney for the Defendant.

JOYCE R. KING
ASSISTANT STATE'S ATTORNEY

Gmail by Google

Sun E. Choi <schoi@dcmetrolaw.net>

Evaluation

5 messages

Dr. LaFaye Marshall <drlfmarshall@gmail.com> Wed, Jun 7, 2017 at 7:33 PM
To: JKing1@statesattorney.us
Cc: "Sun E. Choi" <schoi@dcmetrolaw.net>

Hello,

This afternoon, I conversed with Attorney Choi regarding the updated psychosexual risk evaluation of her client. She reported that the State should pay for the evaluation as the request is being made by the Judge. Please provide clarification and confirmation on this matter.

Thank you,

--
LaFaye F. Marshall, Psy.D., CSOTP
Dr. LaFaye Marshall, LLC
Licensed Clinical Psychologist
Certified Sex Offender Treatment Provider
Phone: 240-481-2723
Fax: 240-524-1303
Email: drlfmarshall@gmail.com
Web: drlfmarshall.com

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King, Joyce <JKing1@statesattorney.us> Thu, Jun 8, 2017 at 8:04 AM
To: "Dr. LaFaye Marshall" <drlfmarshall@gmail.com>
Cc: "Sun E. Choi" <schoi@dcmetrolaw.net>

Good Morning Dr. Marshall,

I am not sure about the payment – I believe the defendant will need to discuss with P&P and the Sex Offender Registry.

We can try to confirm with the court at our next hearing.

Thank you,

Sincerely,

Joyce R. King

Assistant State's Attorney

Frederick County State's Attorney's Office

100 West Patrick Street

Frederick, Maryland 21701

Phone: (301) 600-2263

Fax: (301) 600-1926

From: Dr. LaFaye Marshall [mailto:drlfmarshall@gmail.com]
Sent: Wednesday, June 07, 2017 7:33 PM
To: King, Joyce <JKing1@statesattorney.us>
Cc: Sun E. Choi <schoi@dcmetrolaw.net>
Subject: Evaluation

[Quoted text hidden]

Dr. LaFaye Marshall <drlfmarshall@gmail.com> Thu, Jun 8, 2017 at 8:11 AM
To: "King, Joyce" <JKing1@statesattorney.us>
Cc: "Sun E. Choi" <schoi@dcmetrolaw.net>

Good Morning all,

Attorney King, when is the next court date and will you need the updated report by that date?

Attorney Choi, please advise on payment given context of Attorney King's email. Is your client willing to pay for the updated evaluation?

Thank you,
[Quoted text hidden]

Sun E. Choi <schoi@dcmetrolaw.net> Thu, Jun 8, 2017 at 8:20 AM

To: "Dr. LaFaye Marshall" <drlfmarshall@[illegible]ail.com>
Cc: "King, Joyce" <JKing1@statesattorney.us>

Dr. Marshall,

My client has been without a job as he was indefinitely suspended without pay. He has been financially devastated. So, unfortunately, my client is unable to pay for the updated report.

The State asked for a full psychosexual risk assessment, after the conviction. Judge Galloway granted the State's request. Since the State requested it, it should be the State's responsibility to pay for it.

Thank you.
[Quoted text hidden]
--
Sun E. Choi, Esq.
DC Metro Law, LLC
www.dcmetrolaw.net
schoi@dcmetrolaw.net
7820 B Wormans Mill Road, Suite 154
Frederick, Maryland 21701
202-630-9529 voice & texts
301-500-3135 fax | Skype: sunechoi
Website | LinkedIn | Facebook | Twitter | Instagram

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Dr Faye <drlfmarshall@gmail.com> *Thu, Jun 8, 2017 at 9:21 AM*
To: Joyce King <jking1@statesattorney.us>
Cc: "Atty Sun E. Choi" <schoi@dcmetrolaw.net>

Attorney King can you help with this issue?

Dr. LaFaye Marshall
Dr. LaFaye Marshall, LLC
*Licensed Clinical Psychologist
*Certified Sexual Offender Treatment Provider
Email: drlfmarshall@gmail.com
Web: drlfmarshall.com
Phone: 240.481.2723
Fax: 240.524.1303
[Quoted text hidden]

SMS Conversation with +1 (540) 244-7891
1 message

Sun E. Choi <schoi@dcmetrolaw.net> Wed, Jun 7, 2017 at 3:24 PM
To: SEC <schoi@dcmetrolaw.net>

SMS Conversation

+1 (540) 244-7891

5/17/17, 3:12 PM

2/17/46, 7:30 AM
Dear Ms. Meadows, my name is (Ms.) Sun Choi. I am an attorney in MD. Your name came up that pertains to my client who is associated with an email account address of man.maryland@gmail.com. Would you have time to speak to me briefly to find out if you are familiar with this email address? Thank you.
3/6/46, 12:00 AM
I do not know what this is, or why my name came up.
3/7/46, 12:25 PM
Your name, Michelle Meadows, was next to a phone number 240 382 4233 in an email account man.maryland@gmail.com. Are you familiar with that email address by chance?
3/9/46, 12:49 AM
Would it be okay if I called you?
3/10/46, 1:14 PM
Sure
3/12/46, 1:38 AM
I just tried to call. Is this a bad time?

- Sent from my mobile device.
Sun E. Choi, Esq.
DC Metro Law, LLC
www.dcmetrolaw.net
schoi@dcmetrolaw.net
7820 B Wormans Mill Rd., #154
Frederick, MD 21701
202-630-9529 (voice & texts)
301-500-3135 (fax) |Skype: sunechoi
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See back of receipt for your chance to win $1000

ID #: 7L13P8S6SCO

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MANAGER SAM NAVAI
7400 GUILFORD DR
FREDERICK MD 21704

ST# 02233 OP# 008262 TE# 68 TR# 06864

PRODUCT SERIAL # 899A0000047776520
POP# 660004847692973729831 48
SMB311VZPP 088727668978 12.88 X

VERIZON 30 079936644520 30.00
E-911 FEE 060538810018 0.60
SUBTOTAL 43.48

** VOIDED ENTRY **
VERIZON 30 079936644520 30.00
** VOIDED ENTRY **
E-911 FEE 060538810018 0.60-
SUBTOTAL 12.88
TAX 1 6.000 % 0.78
TOTAL 13.66
DEBIT TEND 13.66

DEBIT CASH BACK 100.00
TOTAL DEBIT PURCHASE 113.66
CHANGE DUE 100.00

EFT DEBIT PAY FROM PRIMARY
13.66 PURCHASE
100.00 CASH BACK
113.66 TOTAL PURCHASE
ACCOUNT # **** **** **** 8915 S
REF # 715800012099
NETWORK ID. 0076 APPR CODE 121124
TERMINAL # SC010688

06/07/17 08:39:10
ITEMS SOLD 1
TC# 3822 2958 2991 7919 8010

Low Prices You Can Trust. Every Day.
06/07/17 08:39:14
Store receipts on your phone: Walmart Pay

See back of receipt for your chance to win $1000

ID #: 7L13P8S5SC1

THANK YOU

VERIZON 30 30.00
CARD # 6374639416707164

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Save money. Live better.

(301) 631-0805
MANAGER SAM NAVAI
7400 GUILFORD DR
FREDERICK MD 21704

ST# 02233 OP# 008262 TE# 68 TR# 06865

VERIZON 30 079936644520 30.00
E-911 FEE 060538810018 0.60
SUBTOTAL 30.60
TAX 1 6.000 % 1.80
TOTAL 32.40
DEBIT TEND 32.40

DEBIT CASH BACK 100.00
TOTAL DEBIT PURCHASE 132.40
CHANGE DUE 100.00

EFT DEBIT PAY FROM PRIMARY
32.40 PURCHASE
100.00 CASH BACK
132.40 TOTAL PURCHASE
ACCOUNT # **** **** **** 8915 S
REF # 715800120138
NETWORK ID. 0076 APPR CODE 054242
TERMINAL # SC010688

06/07/17 08:40:14
ITEMS SOLD 2
TC# 8295 3682 3669 4197 2555

Low Prices You Can Trust. Every Day.
06/07/17 08:40:19
Store receipts on your phone: Walmart Pay

63 West 35th Street, New York, New York, 10001, USA
+1-212-594-3310

Hilton Garden Inn

Reservation Confirmation # 3348823561

Hilton Honors Rewards

Reward Certificate: 140894103

Hotel

Hilton Garden Inn New York/West 35th Street
63 West 35th Street
New York, New York 10001
USA
Phone: +1-212-594-3310

Maps and directions, *Local guide*, *Weather*

Room and Plan Selection

DETAILS	(USD)
2 DOUBLE BEDS NS ~~-~~	
STANDARD ROOM REWARD	
Price:	$88.78
Points:	30,000
Taxes:	$16.60
Total for stay:	**$105.38 + 30,000 points**

Stay Information

Arrival: Thursday, 08 Jun 2017
Departure: Friday, 09 Jun 2017
1 room for 1 night
2 adults

Early check-in cannot be guaranteed. Contact the hotel to inquire about early check-in or late check-out. Hotel check-in time is 3:00 pm and check-out is at 12:00 pm.

Guest Information

Guest name: Ms. SUN CHOI
Additional Guests:
Hilton Honors #: 651790272
Address type: Work
Address: DC METRO LAW, LLC
7820B WORMANS MILL ROAD
SUITE 154
FREDERICK, Maryland 21701
USA
Email: sunchoinah@gmail.com
Phone: 2026309529

Payment Information

Card type: Visa
Card number: **********1820
Expiration: Jan 2023

Gmail

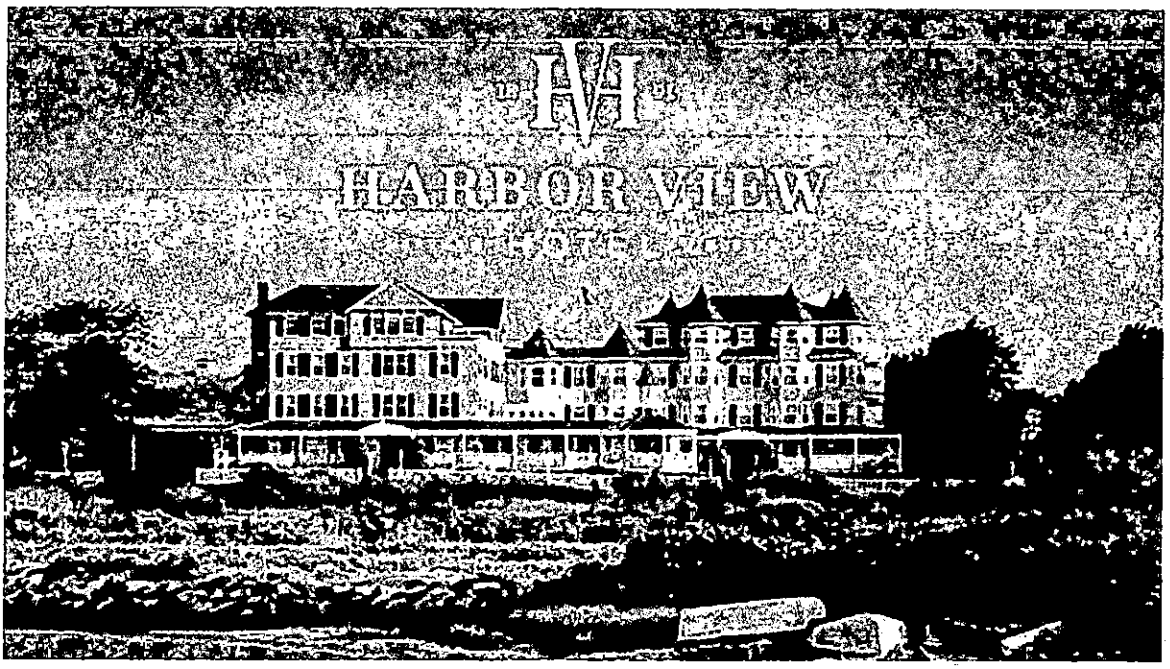
Sun E. Choi <schoi@dcmetrolaw.net>

Fwd: Reservation confirmed - Confirmation #R1DE84

1 message

Joe Nah <joe.t.nah@gmail.com> Tue, Feb 14, 2017 at 2:12 PM
To: "Sun E. Choi" <schoi@dcmetrolaw.net>

---------- Forwarded message ----------
From: <reservations@harbor-view.com>
Date: Mon, Feb 13, 2017 at 10:01 PM
Subject: Reservation confirmed - Confirmation #R1DE84
To: <joe.t.nah@gmail.com>



DEAR JOSEPH NAH,

We are looking forward to your visit with us at The Harbor View Hotel on Martha's Vineyard. We have provided your confirmed reservation details below. Please review the information carefully.

RESERVATION DETAILS:

CONFIRMATION NUMBER:	R1DE84
ARRIVAL DATE:	Friday, June 9, 2017
DEPARTURE DATE:	Sunday, June 11, 2017
NUMBER OF NIGHTS:	2
ROOM TYPE RESERVED:	2-Bedroom Cottage Suite
ROOM RATE:	$799.00
DEPOSIT RECEIVED	$1,753.00

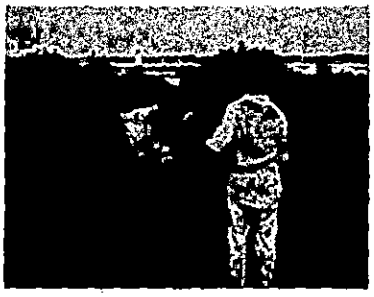
CHECK-IN TIME:	You may check in any time after 4pm. Should you arrive early, you are welcome to enjoy the resort grounds and amenities until your guestroom becomes available.
CHECK-OUT TIME:	11:00am
IDENTIFICATION:	A valid photo ID will be required upon check-in.
SMOKING POLICY:	The Harbor View Hotel is a non-smoking property, smoking in a guest room will result in a $250 non-refundable cleaning fee.
TRANSPORTATION:	Ferry reservations are required if you are planning to bring a car with you to the island. The Steamship Authority may be reached at *508.477.8600* or visit their web site at ***www.steamshipauthority.com***
CANCELLATION POLICY:	If you need to cancel or make any changes to your reservation, please do so more than 7 days prior to your scheduled arrival. Your deposit will be refunded less a $25 administration fee. Cancellations or changes within 7 days of your scheduled arrival date will result in the forfeiture of your deposit.
PAYMENT:	Upon check-in, you assume responsibility for full payment of all nights of the reservation.

Ten days prior to your arrival, our concierge will send you an email that will help you plan your stay with us. It will assist you in making arrangements for transportation, dining, spa treatments, golf tee times, and other area activities prior to your arrival. If you have specific interests or requests, please contact our concierge in advance of your arrival, and we will be happy to assist you in any way possible.

If you have any questions, or we may be of any further assistance, please don't hesitate to call us at *1.800.225.6005*.

BEST REGARDS,
Clark Guinn
REGIONAL DIRECTOR OF OPERATIONS





131 NORTH WATER STREET, EDGARTOWN, MA 02539
HARBOR-VIEW.COM

CIRCUIT COURT FOR FREDERICK COUNTY
Sandra K. Dalton
Clerk of the Circuit Court
100 West Patrick Street
Courthouse
Frederick, MD 21701
(301)-600-1976

C R I M I N A L N O T I C E O F H E A R I N G / T R I A L

Case Number: 10-K-16-059271 IF

Case Title: State of Maryland vs Abe Arjun Mallik

To: FILE COPY

You are hereby notified that this case is scheduled in the:

CIRCUIT COURT FOR FREDERICK COUNTY 100 West Patrick Street Frederick, MD 21701

PROCEEDING	DATE AND TIME
Bond Review Hearing	06/15/17 01:30PM Emergency Motion for Second Bond Review
Sentencing Hearing	08/08/17 10:00AM date changed from 8/3/17:Judge unavaila

PLEASE NOTE: The Defendant and Counsel MUST APPEAR.

Counsel and Defendant shall report at 8:30 am. for jury trial.

All witnesses shall be subpoenaed for 8:30 am. on the date of trial, unless arrangements have been made with the court, in advance, for a witness to appear at another time.

If you, a party represented by you, or a witness to be called on behalf of the party need an accommodation under the Americans with Disabilities Act, please contact the Court.

Assignment Clerk
Assignment Office Phone: 301-600-2988

Date Issued: 06/09/17

CC: Joyce Roldan King Esq 100 W Patrick Street Frederick MD 21701
Sun E Choi Esq 7820 B Wormans Mill Rd. Suite 132 Frederick MD 21701

Num/Seq	Description	Filed	Entered	Party	Jdg	Ruling	Closed	User ID
00029000	Motion for Bond Review	06/02/17	06/05/17	DEF001	TBA			LES LES
00029001	State's Answer to Request for Bond Review	06/05/17	06/05/17	PLT001	TBA			LES
00030000	Hearing Notice Event: SENT Block Date: 08/08/17 Facility: VDOC PARTIES : Mallik, Abe 1710 Canal Clipper Ct , Point Of Rocks, MD, 21777 Choi, Sun 7820 B Wormans Mill Rd. Suite 132, Frederick, MD, 21701 King, Joyce 100 W Patrick Street , Frederick, MD, 21701	06/06/17	06/06/17	PLT001	TBA		06/06/17	JQA
00031000	Pre Sentence Investigation Ordered	06/06/17	06/06/17	000	SLR		06/06/17	PGS
00032000	Order (for Presentence Psychiatric Evaluation) copies sent to SAO, Defense atty, and faxed to Julie Smith, Psy.D and Helena Hager (DHMH).	06/06/17	06/06/17	000	SLR		06/06/17	PGS
00033000	Open Court Proceedings Bond Review Held (J. Sandy, CR2). Attorny Choi present for Defendant. Defendant released on $25,000 unsecured Personal Recognizance bond. Defendant is placed on Pre-Sentence Supervision through P&P, is to report as directed. Submit to any evaluation ordered. Defendant not to utilize Internet or Social Media whatsoever. No contact with any minors (other than his Daughter) under age of 16.	06/06/17	06/06/17	000	TBA		06/06/17	LES
00034000	Open Court Proceedings Motion to Surpress- Day 1 State's motion to amend dates on Ct-9,10,11, granted. State's motion to exclude deft's expert witness, denied. State's motion in Limine to exclude deft's interview-denied. Reserve to exclude letters. Reserve on Deft's motion to exclude state's expert witness-denied. Deft's motion in Limine to exclude documents and related testimony-denied. (J. Galloway).	05/30/17	06/07/17	000	MMG		06/07/17	ASV
00035000	Emergency Motion for Second Bond Review	06/07/17	06/07/17	PLT001	TBA			
00036000	Order for Pre-Sentence Supervision	06/07/17	06/08/17	000	RS1			

Do you want to rule on this now, or wait for an Answer?
6.8.17
AO - Please set for hearing.
WRA

SERVICE

Form Name	Issued	Hearing	Served	Returned	Ager
CR-Summons (Sch.Event) (3)/U845 DEF001 Mallik, Abe	12/20/16	01/27/17	01/04/17		Fred

BOND HEARING WORKSHEET

COURTROOM # 5

Judge: Craven

Tape No. CR5

CASE NO. K-16-059271

Date: 6-15-17

Clerk: SD/JW

NAME: Abe Arjun Mallik

STATE'S ATTY: King

ATTY FOR DEFT: Choi

AMOUNT OF BOND: _____

PERSONAL RECOGNIZANCE _____

SECURED _____

DEFT'S ADDRESS _____

EMPLOYER: _____

ADVISED OF RULE 4-215 (RIGHT TO ATTORNEY) _____

HEARING DATE SET _____

SPECIAL CONDITIONS: Bond Review held. Deft. to stay PR'd with all special conditions to stay in affect. States motion to change motion denied.

BOND HEARING WORKSHEET

COURTROOM # 5

Judge: Craven

Tape No. CR5

CASE NO. K-16-059271

Date: 6-15-17

Clerk: SD/JW

NAME: Abe Arjun Mallik

STATE'S ATTY: King

ATTY FOR DEFT: Choi

AMOUNT OF BOND: _____

PERSONAL RECOGNIZANCE _____

SECURED _____

DEFT'S ADDRESS _____

EMPLOYER: _____

ADVISED OF RULE 4-215 (RIGHT TO ATTORNEY) _____

HEARING DATE SET _____

SPECIAL CONDITIONS: Bond Review held. Def't. to stay PRd with all special conditions to stay in affect. States motion to change motion denied.

BOND HEARING WORKSHEET

COURTROOM # 5

Judge: Craven

Tape No. CR5

CASE NO. K-16-059271

Date: 6-15-17

Clerk: SD/JW

NAME: Abe Arjun Mallik

STATE'S ATTY: King

ATTY FOR DEFT: Choi

AMOUNT OF BOND: _____

PERSONAL RECOGNIZANCE _____

SECURED _____

DEFT'S ADDRESS _____

EMPLOYER: _____

ADVISED OF RULE 4-215 (RIGHT TO ATTORNEY) _____

HEARING DATE SET _____

SPECIAL CONDITIONS: Bond Renew ntcl. Def. to stay PRd with all special conditions to stay in effect. State's motion to change motion denied.